

# Chapter 357-34 WAC

## EMPLOYEE TRAINING AND DEVELOPMENT

**WAC**

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- 357-34-125 How do agencies report their compliance with WAC 357-34-100 to the department? [Statutory Authority: Chapter 41.06 RCW. WSR 07-23-010, § 357-34-125, filed 11/8/07, effective 12/11/07.] Decodified by WSR 11-23-093, filed 11/17/11, effective 11/17/11. Statutory Authority: 2011 c 43. Recodified as § 200-600-030.

**WAC 357-34-005 What is the purpose of this chapter?** The purpose of chapter 357-34 WAC, the employee training and development rules, is to:

- (1) Establish rules which support employees in developing occupational and professional skills, and
- (2) Assign responsibilities for providing training and development for employees.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-195, § 357-34-005, filed 12/21/04, effective 7/1/05.]

**WAC 357-34-045 Are employers required to provide release time for nonrequired training?** (1) Employers may allow an employee with a sensory disability (as defined in HB 2328, chapter 294, Laws of 2009) to attend training, without a loss in pay, necessary to attain a new service animal. The employee shall not be eligible for reimbursement under RCW 43.03.050 and 43.03.060.

(a) If the training for a new service animal is foreseeable the employee shall provide the employer with at least thirty days advanced notice. If the date of the training requires the absence to begin in less than thirty days, the employee shall provide notice as is practicable.

(b) Employers may require that a request to attend a service animal training be supported by a certification issued by the training organization. Certification is sufficient if it states the date the training is scheduled to begin and the training session's duration.

(2) Employers may release employees from work without a loss in pay to participate in other nonrequired training.

[Statutory Authority: Chapter 41.06 RCW. WSR 09-17-058, § 357-34-045, filed 8/13/09, effective 9/16/09; WSR 05-01-195, § 357-34-045, filed 12/21/04, effective 7/1/05.]

**WAC 357-34-050 Can an employee be given an assignment for career development purposes?** (1) Employers may make the following planned training assignments for employee career development without incurring reallocation or compensation obligations:

- (a) Performance of responsibilities outside the current job class on a time-limited basis.
- (b) Intra-agency or interagency rotational or special project assignments.

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

- 357-34-010 Who is responsible for employee training and development? [Statutory Authority: Chapter 41.06 RCW. WSR 05-01-195, § 357-34-010, filed 12/21/04, effective 7/1/05.] Decodified by WSR 11-23-093, filed 11/17/11, effective 11/17/11. Statutory Authority: 2011 c 43. Recodified as § 200-600-010.
- 357-34-015 What are the employer's training and development responsibilities? [Statutory Authority: Chapter 41.06 RCW. WSR 05-01-195, § 357-34-015, filed 12/21/04, effective 7/1/05.] Decodified by WSR 11-23-093, filed 11/17/11, effective 11/17/11. Statutory Authority: 2011 c 43. Recodified as § 200-600-015.
- 357-34-020 Can employers require employees to attend training? [Statutory Authority: Chapter 41.06 RCW. WSR 05-01-195, § 357-34-020, filed 12/21/04, effective 7/1/05.] Decodified by WSR 11-23-093, filed 11/17/11, effective 11/17/11. Statutory Authority: 2011 c 43. Recodified as § 200-600-020.
- 357-34-025 What are the director's training and development responsibilities? [Statutory Authority: Chapter 41.06 RCW. WSR 05-01-195, § 357-34-025, filed 12/21/04, effective 7/1/05.] Repealed by WSR 11-23-054, filed 11/10/11, effective 12/13/11. Statutory Authority: Chapter 41.06 RCW.
- 357-34-030 What are the requirements for the employer's training and development plan? [Statutory Authority: Chapter 41.06 RCW. WSR 05-01-195, § 357-34-030, filed 12/21/04, effective 7/1/05.] Decodified by WSR 11-23-

(2) The employee and the employer(s) shall mutually agree in writing, including time limits, to assignments identified in subsection (1)(a) and (b) of this section.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-195, § 357-34-050, filed 12/21/04, effective 7/1/05.]

**WAC 357-34-055 Are employees appointed to a supervisory or management position required to complete any special supervisory or managerial training?** Employees appointed to a permanent supervisory or management position must successfully complete entry-level supervisory or managerial training. (See WAC 357-34-075 for exceptions to this requirement.)

[Statutory Authority: Chapter 41.06 RCW. WSR 04-15-015, § 357-34-055, filed 7/8/04, effective 7/1/05.]

**WAC 357-34-060 What administrative requirements must be met for the employee to satisfy the training required by WAC 357-34-055?** For an employee to satisfy the entry-level supervisory or managerial training required by WAC 357-34-055, all of the following requirements must be met:

(1) The training program must include at least twenty-four hours of instruction.

(2) The training must have occurred in the last five years.

(3) The program must be sponsored by a state agency, post-secondary educational institution, vocational school, or professional organization.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-195, § 357-34-060, filed 12/21/04, effective 7/1/05.]

**WAC 357-34-065 What must be included in the required supervisory or managerial training?** (1) At a minimum, the entry-level supervisory or managerial training required by WAC 357-34-055 must include all of the following topics:

(a) The role and legal responsibilities of a supervisor/manager.

(b) Performance management, including employee performance evaluation, development, counseling or coaching, and discipline.

(c) Compensation practices.

(d) Recruitment and selection processes and practices.

(e) Labor relations practices and processes.

(2) In addition, supervisors and managers may also receive training on other topics identified by the employer.

[Statutory Authority: Chapter 41.06 RCW. WSR 06-19-062, § 357-34-065, filed 9/19/06, effective 10/20/06; WSR 05-01-195, § 357-34-065, filed 12/21/04, effective 7/1/05.]

**WAC 357-34-070 When must employees appointed to supervisory or management positions be enrolled in the required training?** Employees appointed to a permanent supervisory or management position must be enrolled in the required training within six months of the date of their appointment, or if a program is not available, as soon as possible after it becomes available. When training opportunities are available, the employer may suspend the entry-level training requirement for up to a maximum of an additional six months in cases where the ability of the employer to perform

its responsibilities would be adversely affected by the absence of the employee from the work site.

[Statutory Authority: Chapter 41.06 RCW. WSR 04-15-015, § 357-34-070, filed 7/8/04, effective 7/1/05.]

**WAC 357-34-075 Under what circumstances may the employer waive the requirement for an employee to complete supervisory or managerial training?** The employer may waive the requirement for entry-level supervisory or managerial training in cases where:

(1) The employee has at least one year of experience in a supervisory or management position at some point prior to the present appointment and has demonstrated experience and competence as a substitute for training; or

(2) The employee can demonstrate that before this appointment the employee completed training that satisfies the requirements of WAC 357-34-060 and 357-34-065.

[Statutory Authority: Chapter 41.06 RCW. WSR 04-15-015, § 357-34-075, filed 7/8/04, effective 7/1/05.]

**WAC 357-34-085 Who is responsible for designating positions as supervisor or management positions for the purpose of identifying which positions are covered by the training requirement?** For purposes of WAC 357-34-055, each employer must designate individual positions, or groups of positions, as being supervisor or management positions. The employer's designations are subject to review by the director.

[Statutory Authority: Chapter 41.06 RCW. WSR 04-15-015, § 357-34-085, filed 7/8/04, effective 7/1/05.]

**WAC 357-34-090 Who provides the required supervisory or managerial training?** The department of enterprise services provides training activities to fulfill the requirement in WAC 357-34-055 and/or consultative services, as requested, to assist employers in development of their own programs. Employer-developed training must satisfy the requirements of WAC 357-34-060 and 357-34-065.

[Statutory Authority: Chapter 41.06 RCW. WSR 11-23-054, § 357-34-090, filed 11/10/11, effective 12/13/11; WSR 06-19-062, § 357-34-090, filed 9/19/06, effective 10/20/06; WSR 05-01-195, § 357-34-090, filed 12/21/04, effective 7/1/05.]

**WAC 357-34-100 How often are general government employees required to complete sexual harassment awareness and prevention training?** General government employees are required to complete sexual harassment awareness and prevention training at least every five years. For new employees sexual harassment awareness and prevention training should be completed within the first six months of employment, or earlier if required by the employer's sexual harassment policy.

[Statutory Authority: Chapter 41.06 RCW. WSR 11-23-054, § 357-34-100, filed 11/10/11, effective 12/13/11; WSR 07-23-010, § 357-34-100, filed 11/8/07, effective 12/11/07.]

**WAC 357-34-105 How often are general government managers and supervisors required to complete additional sexual harassment awareness and prevention training?** Effective July 1, 2008, in addition to the training described in WAC 357-34-100, all managers and supervisors

of general government agencies are required to complete training on managers' roles and responsibilities regarding sexual harassment every three years. For new supervisors and managers, training on roles and responsibilities should be completed within the first six months of becoming a manager or supervisor.

[Statutory Authority: Chapter 41.06 RCW. WSR 11-23-054, § 357-34-105, filed 11/10/11, effective 12/13/11; WSR 07-23-010, § 357-34-105, filed 11/8/07, effective 12/11/07.]

**WAC 357-34-110 Under what circumstances may the general government employer waive the required sexual harassment awareness and prevention training for a new employee?** General government employers may waive the sexual harassment awareness and prevention training or the managers' roles and responsibilities training required for a new employee if the employee can show proof of attending training given by another state agency, within the time frame that satisfies the requirements of this chapter.

If the sexual harassment awareness and prevention training is waived for a new employee the agency must review their sexual harassment policy with the new employee. The employee must take the next training within five years of completion of the sexual harassment awareness and prevention training or within three years of completion of the managers' roles and responsibilities training with their former state agency.

[Statutory Authority: Chapter 41.06 RCW. WSR 11-23-054, § 357-34-110, filed 11/10/11, effective 12/13/11; WSR 07-23-010, § 357-34-110, filed 11/8/07, effective 12/11/07.]

**WAC 357-34-115 What must be included in the required sexual harassment awareness and prevention training?** The requirements of the sexual harassment awareness and prevention training will be published by the director's office.

[Statutory Authority: Chapter 41.06 RCW. WSR 11-23-054, § 357-34-115, filed 11/10/11, effective 12/13/11; WSR 07-23-010, § 357-34-115, filed 11/8/07, effective 12/11/07.]

**WAC 357-34-120 Who provides the required sexual harassment awareness and prevention training?** Either the department of enterprise services or the agency may provide the sexual harassment awareness and prevention training.

[Statutory Authority: Chapter 41.06 RCW. WSR 11-23-054, § 357-34-120, filed 11/10/11, effective 12/13/11; WSR 07-23-010, § 357-34-120, filed 11/8/07, effective 12/11/07.]