

***(Effective until July 1, 2022)***

**WAC 357-31-265 What is the effect of suspended operations on employees who are not required to work during the closure?** At a minimum, employees not required to work during suspended operations must be allowed to use their personal holiday, or accrued vacation leave. Overtime eligible employees must also be allowed to use accrued compensatory time to account for the time lost due to the closure. Overtime eligible employees may be allowed to use leave without pay and given an opportunity to make up work time lost (as a result of suspended operations) within the work week. For overtime eligible employees, compensation for making up lost work time must be in accordance with WAC 357-28-255, 357-28-260, and 357-28-265 if it causes the employee to work in excess of forty hours in the workweek, and must be part of the employer's suspended operations procedures. The amount of compensation earned under this section must not exceed the amount of salary lost by the employee due to suspended operation.

If the employer's suspended operations procedure allows, employees may be released without a loss in pay.

[Statutory Authority: Chapter 41.06 RCW. WSR 15-11-102, § 357-31-265, filed 5/20/15, effective 6/22/15; WSR 11-19-091, § 357-31-265, filed 9/20/11, effective 10/24/11; WSR 07-11-096, § 357-31-265, filed 5/16/07, effective 7/1/07; WSR 05-08-137, § 357-31-265, filed 4/6/05, effective 7/1/05.]

***(Effective July 1, 2022)***

**WAC 357-31-265 What is the effect of suspended operations on employees who are not required to work during the closure?** At a minimum, employees not required to work during suspended operations must be allowed to use their personal holiday, accrued holiday credit, or accrued vacation leave. Overtime eligible employees must also be allowed to use accrued compensatory time to account for the time lost due to the closure. Overtime eligible employees may be allowed to use leave without pay and given an opportunity to make up work time lost (as a result of suspended operations) within the work week. For overtime eligible employees, compensation for making up lost work time must be in accordance with WAC 357-28-255, 357-28-260, and 357-28-265 if it causes the employee to work in excess of 40 hours in the workweek, and must be part of the employer's suspended operations procedures. The amount of compensation earned under this section must not exceed the amount of salary lost by the employee due to suspended operation.

If the employer's suspended operations procedure allows, employees may be released without a loss in pay.

[Statutory Authority: Chapter 41.06 RCW. WSR 22-01-022, § 357-31-265, filed 12/3/21, effective 7/1/22; WSR 15-11-102, § 357-31-265, filed 5/20/15, effective 6/22/15; WSR 11-19-091, § 357-31-265, filed 9/20/11, effective 10/24/11; WSR 07-11-096, § 357-31-265, filed 5/16/07, effective 7/1/07; WSR 05-08-137, § 357-31-265, filed 4/6/05, effective 7/1/05.]