

WAC 357-58-275 May a WMS employee accept an acting WMS appointment and what are the employee's return rights at the conclusion of the acting appointment? (1) Permanent WMS employees may accept acting appointments to WMS positions for reasons specified in WAC 357-58-265 (1) (a).

(a) When a permanent WMS employee has accepted an acting appointment within the **same** agency and the acting appointment ends the following applies:

(i) The agency may agree to return the employee to a permanent WMS position. If returning to a permanent WMS position, the employee's salary must not be less than the salary of the previously held permanent WMS position.

(ii) The agency at a minimum must provide the employee the layoff rights of the employee's permanent WMS position in accordance with WAC 357-58-465.

(b) When a permanent WMS employee has accepted an acting appointment within a **different** agency, the original agency must provide layoff rights as specified in (a) of this subsection for six months from the time the employee is appointed. Any return right after six months is negotiable between the employee and agency and must be agreed to prior to the employee accepting the nonpermanent appointment. If the employee does not return on the agreed upon date, the employee can request placement in the general government transition pool per WAC 357-46-095.

(c) In lieu of the rights provided in (a) and (b) of this subsection, the agency and the employee may agree to other terms.

(2) When a WMS employee has been redeployed into an acting WMS position for reasons specified in WAC 357-58-265 (1)(b), the employee must be returned to the same position held prior to the redeployment at the conclusion of the acting appointment. Upon return to their previous position, the employee's base salary is set as if the employee had not left the position.

[Statutory Authority: RCW 41.06.150. WSR 24-18-067, § 357-58-275, filed 8/29/24, effective 10/1/24. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. WSR 19-11-136, § 357-58-275, filed 5/22/19, effective 7/1/19. Statutory Authority: Chapter 41.06 RCW. WSR 08-07-062, § 357-58-275, filed 3/17/08, effective 4/18/08; WSR 05-12-070, § 357-58-275, filed 5/27/05, effective 7/1/05.]