

Park, 200 Battery Way, Port Townsend, Washington 98368. Reservations are accepted at Fort Worden by telephone, by mail, by internet, by facsimile or in person. Certain deposits, reservation and cancellation fees apply as set forth in the fee schedule published by state parks.

[Statutory Authority: RCW 43.51.040. 99-08-031, § 352-32-25001, filed 3/30/99, effective 5/1/99; 98-04-065, § 352-32-25001, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.060(6). 95-03-005, § 352-32-25001, filed 1/5/95, effective 2/5/95. Statutory Authority: RCW 43.51.060. 94-04-075, § 352-32-25001, filed 1/31/94, effective 3/3/94. Statutory Authority: RCW 43.51.040. 93-01-029, § 352-32-25001, filed 12/7/92, effective 1/7/93; 91-22-063, § 352-32-25001, filed 11/1/91, effective 12/2/91. Statutory Authority: RCW 43.51.949 and 43.51.060. 90-23-031, § 352-32-25001, filed 11/14/90, effective 1/1/91. Statutory Authority: RCW 43.51.040. 90-07-062, § 352-32-25001, filed 3/20/90, effective 4/20/90. Statutory Authority: RCW 43.51.040 and 43.51.060. 89-22-073, § 352-32-25001, filed 10/31/89, effective 12/1/89; 88-22-050 (Order 107), § 352-32-25001, filed 10/31/88. Statutory Authority: RCW 46.10.040, 43.51.040 and 43.51.060. 87-24-032 (Order 102), § 352-32-25001, filed 11/24/87. Statutory Authority: RCW 43.51.040 and 43.51.060. 86-24-016 (Order 98), § 352-32-25001, filed 11/24/86. Statutory Authority: RCW 43.51.040 and 43.51.060(6). 85-23-069 (Order 90), § 352-32-25001, filed 11/20/85. Statutory Authority: RCW 43.51.040 and 43.51.060. 84-23-049 (Resolution No. 85), § 352-32-25001, filed 11/19/84.]

**WAC 352-32-25002 Repealed.** See Disposition Table at beginning of this chapter.

## Title 356 WAC PERSONNEL, DEPARTMENT OF (GENERAL GOVERNMENT)

### Chapters

<b>356-05</b>	<b>Definitions.</b>
<b>356-09</b>	<b>Affirmative action program.</b>
<b>356-14</b>	<b>Compensation plan.</b>
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<b>356-22</b>	<b>Recruitment—Examinations.</b>
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### Chapter 356-05 WAC DEFINITIONS

#### WAC

356-05-012	Affected group members.
356-05-013	Affirmative action.
356-05-207	Job categories.
356-05-327	Repealed.
356-05-447	Underutilization.

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

356-05-327	Protected group members. [Statutory Authority: RCW 41.06.040 and 41.06.150. 91-20-031 (Order 385), § 356-05-327, filed 9/23/91, effective 11/1/91. Statutory Authority: RCW 41.06.150. 87-02-038 (Order 267), § 356-05-327, filed 1/2/87.] Repealed by 99-05-043, filed 2/12/99, effective 4/1/99. Statutory Authority: RCW 41.06.150.
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**WAC 356-05-012 Affected group members.** Affected groups for affirmative action purposes are: Persons age forty and above, people with disabilities, Vietnam Era veterans and disabled veterans, women, Asians and Pacific Islanders, Blacks, Hispanics, Native Americans and Alaska Natives.

[Statutory Authority: RCW 41.06.150. 99-05-043, § 356-05-012, filed 2/12/99, effective 4/1/99.]

**WAC 356-05-013 Affirmative action.** Procedures by which affected group members are provided with increased employment opportunities designed to correct underutilization. Affirmative action shall not mean any sort of quota system.

[Statutory Authority: RCW 41.06.150. 99-05-043, § 356-05-013, filed 2/12/99, effective 4/1/99; 87-02-038 (Order 267), § 356-05-013, filed 1/2/87.]

**WAC 356-05-207 Job categories.** The eight categories designated by the equal employment opportunity commission for reporting to federal agencies: Officials and administrators, professionals, technicians, protective service workers, paraprofessionals, office and clerical, skilled craft workers, and service and maintenance.

[Statutory Authority: RCW 41.06.150. 99-05-043, § 356-05-207, filed 2/12/99, effective 4/1/99; 87-02-038 (Order 267), § 356-05-207, filed 1/2/87.]

**WAC 356-05-327 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 356-05-447 Underutilization.** Having fewer racial/ethnic minorities, women, persons age 40 and over, Vietnam Era and disabled veterans, or persons of disability in a particular job group than reasonably would be expected based upon their availability.

[Statutory Authority: RCW 41.06.150. 99-05-043, § 356-05-447, filed 2/12/99, effective 4/1/99; 87-02-038 (Order 267), § 356-05-447, filed 1/2/87.]

### Chapter 356-09 WAC

#### AFFIRMATIVE ACTION PROGRAM

#### WAC

356-09-010	Affirmative action program—Purpose.
356-09-030	Affirmative action program—Affirmative action plan—Elements.
356-09-040	Affirmative action program—Responsibilities—Department of personnel.
356-09-050	Affirmative action program—Testing.

**WAC 356-09-010 Affirmative action program—Purpose.** The purpose of this chapter is to ensure compliance by state agencies with the provisions of chapter 41.06 RCW and executive orders, which provide for affirmative action and equal employment opportunity in appointment, promotion, transfer, recruitment and career development; development and implementation of affirmative action goals, and monitoring progress toward achieving those goals.

[Statutory Authority: RCW 41.06.150. 99-05-043, § 356-09-010, filed 2/12/99, effective 4/1/99; 87-02-038 (Order 267), § 356-09-010, filed 1/2/87.]

**WAC 356-09-030 Affirmative action program—Affirmative action plan—Elements.** (1) Agencies that are required to maintain an affirmative action plan shall develop them in accordance with the department of personnel affirmative action program guidelines. Affirmative action plans will be submitted for review to the department of personnel.

(2) Affirmative action plan updates will be submitted annually to the department of personnel for review and approval in accordance with the department of personnel guidelines.

(3) Affirmative action plans must contain, but are not limited to the following elements:

- (a) Equal employment opportunity/affirmative action policy statement endorsed by the agency head.
- (b) Designation of responsibility for implementation and maintenance of the plan.
- (c) Dissemination of plan and policy.
- (d) Utilization analysis.
- (e) Goals.
- (f) Identification of problem areas.
- (g) Action programs to achieve goals.
- (h) Monitoring and reporting procedures.

[Statutory Authority: RCW 41.06.150. 99-05-043, § 356-09-030, filed 2/12/99, effective 4/1/99; 87-02-038 (Order 267), § 356-09-030, filed 1/2/87.]

**WAC 356-09-040 Affirmative action program—Responsibilities—Department of personnel.** The department of personnel is responsible for administering the state's affirmative action program and providing technical assistance to state agencies in the development and implementation of their affirmative action programs. In keeping with these responsibilities, the department of personnel will accomplish the following:

- (1) Publish guidelines that will assist agencies in developing and implementing their affirmative action plan.
- (2) Provide agencies with the data required to develop and implement affirmative action goals.
- (3) Review agency affirmative action plans and equal employment opportunity policy statements for compliance with applicable merit system rules and established affirmative action guidelines, and recommend changes as appropriate.
- (4) When plans and policy statements are in compliance, recommend them for approval to the governor's affirmative action policy committee.
- (5) With the assistance of state agencies, initiate the recruitment of affected group members, including target recruitment when appropriate.
- (6) Monitor items submitted to the board for possible negative effect on affirmative action.
- (7) Monitor affected group participation in agencies' human resource development activities.
- (8) Monitor agencies' progress in meeting goals and addressing problems identified in their affirmative action program.

[Statutory Authority: RCW 41.06.150. 99-19-114, § 356-09-040, filed 9/21/99, effective 11/1/99; 99-05-043, § 356-09-040, filed 2/12/99, effective 4/1/99; 98-19-034, § 356-09-040, filed 9/10/98, effective 10/12/98; 87-02-038 (Order 267), § 356-09-040, filed 1/2/87.]

**WAC 356-09-050 Affirmative action program—Testing.** (1) The department of personnel will make reasonable accommodations for persons of disability who require such during test procedures.

(2) The department of personnel may test persons with disabilities, Vietnam Era veterans and disabled veterans, and persons age 40 and above after the closing date of the recruitment announcement, provided:

- (a) A register exists for the class; and
- (b) The employing agency or the state has not met affirmative action goals for the specific category for that class or job; and
- (c) The category's representation in the state workforce is less than availability; and
- (d) The applicant is a member of the category identified in (b) and (c) of this subsection, and met minimum qualifications at the time of application; and
- (e) The applicant being examined has not been tested under the same recruitment announcement within the past thirty calendar days.

(f) The test may not be taken more than three times within a 12-month period unless the examination content has been substantially changed.

[Statutory Authority: RCW 41.06.150. 99-05-043, § 356-09-050, filed 2/12/99, effective 4/1/99. Statutory Authority: RCW 41.06.040 and 41.06.150. 91-20-034 (Order 388), § 356-09-050, filed 9/23/91, effective 11/1/91. Statutory Authority: RCW 41.06.150. 87-02-038 (Order 267), § 356-09-050, filed 1/2/87.]

**Chapter 356-14 WAC  
COMPENSATION PLAN**

**WAC**  
356-14-300 Relocation compensation.

**WAC 356-14-300 Relocation compensation.** (1) An agency director may authorize lump sum relocation compensation, within existing resources, whenever

- (a) It is reasonably necessary that a person make a domiciliary move in accepting a transfer or appointment; or
- (b) It is necessary to successfully recruit or retain a qualified candidate or employee who will have to make a domiciliary move in order to accept the position.

(2) If the person receiving the relocation payment terminates or causes termination with the state within one year of the date of the appointment or transfer, the state is entitled to reimbursement of the lump sum compensation from the person. Termination as a result of layoff, disability separation, or other good cause as determined by the agency director will not require the person to repay the relocation compensation.

(3) Prior to authorizing lump sum relocation compensation, each agency shall develop written criteria which includes:

- (a) Defining the circumstances in which relocation compensation will be granted; and
- (b) The method used in determining the amount of compensation.

[Statutory Authority: RCW 41.06.150. 99-19-119, § 356-14-300, filed 9/21/99, effective 11/1/99.]

**Chapter 356-15 WAC**  
**COMPENSATION PLAN APPENDIX**

**WAC**

356-15-100	Call-back for work preceding or following a scheduled workshift.
356-15-110	Call-back for work on scheduled days off or holidays.

**WAC 356-15-100 Call-back for work preceding or following a scheduled workshift.** (1) Scheduled work period employees shall be notified prior to their scheduled quitting time either to return to work after departing the worksite or to change the starting time of their next scheduled workshift.

(a) Lack of such notice for such work shall be considered call-back and shall result in a penalty of three hours of pay at the basic salary in addition to all other compensation due. This penalty shall apply to each call.

(b) The appointing authority may cancel a call-back notification to work extra hours at any time but cancellation shall not waive the penalty cited in this subsection.

(c) These provisions shall not apply to the mid-shift interval in a split shift and an employee called back while in standby status.

(2) Nonscheduled, exceptions, and law enforcement work period employees are not normally paid for call-back. However, if the appointing authority deems it appropriate, those employees may receive compensation, not to exceed the penalty cited above, for call-back.

(3) In the department of corrections institutions bargaining unit, lack of such notice as provided in subsection (1) of this section shall not result in penalty of three hours of pay at the basic salary when such change in an employee's start time of their next scheduled workshift is a result of the employee signing up on a volunteer overtime sheet.

[Statutory Authority: RCW 41.06.150. 99-19-113, § 356-15-100, filed 9/21/99, effective 11/1/99. Statutory Authority: RCW 41.06.040 and 41.06.150. 90-15-037 (Order 359), § 356-15-100, filed 7/13/90, effective 8/13/90. Statutory Authority: RCW 41.06.150. 86-12-025 (Order 248), § 356-15-100, filed 5/28/86, effective 7/1/86; 86-06-017 (Order 242), § 356-15-100, filed 2/24/86; 84-12-079 (Order 206), § 356-15-100, filed 6/6/84; Order 98, § 356-15-100, filed 1/13/77, effective 2/13/77; Order 86, § 356-15-100, filed 5/4/76, effective 10/1/76.\*]

**WAC 356-15-110 Call-back for work on scheduled days off or holidays.** (1) Management may assign employees to work on a day off or holiday. Scheduled and nonscheduled work period employees shall be notified of such assignments at least prior to the employees' normal quitting times on their second work day preceding the day off or holiday (except Sunday when it is within the assigned workshift).

(a) If management does not give such notice, affected employees shall receive a penalty payment of three hours pay at the basic salary in addition to all other compensation due them.

(b) Management may cancel work assigned on a day off or holiday. However, if management does not notify affected employees of such cancellation at least prior to their normal quitting times on their second work day preceding the day off or holiday work assignment, affected employees shall receive a penalty payment of three hours pay at the basic salary.

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(2) These provisions shall apply to employees in paid leave status.

(3) These provisions shall not apply to an employee assigned work on a day off or holiday while in standby status or on a contingency schedule as provided in WAC 356-15-090(5).

(4) Only the provisions provided in subsection (1)(b) of this section shall apply to employees within the department of corrections institutions bargaining unit when the employee has volunteered to work such time on an overtime sign-up sheet.

[Statutory Authority: RCW 41.06.150. 99-19-113, § 356-15-110, filed 9/21/99, effective 11/1/99; 96-02-073, § 356-15-110, filed 1/3/96, effective 2/3/96; 86-12-025 (Order 248), § 356-15-110, filed 5/28/86, effective 7/1/86; 84-12-079 (Order 206), § 356-15-110, filed 6/6/84; Order 98, § 356-15-110, filed 1/13/77, effective 2/13/77; Order 86, § 356-15-110, filed 5/4/76, effective 10/1/76.\*]

**Chapter 356-22 WAC**  
**RECRUITMENT—EXAMINATIONS**

**WAC**

356-22-010	Examination—Announcements.
356-22-040	Applications—Contents—Restrictions.
356-22-090	Examinations—Composition.
356-22-180	Examination—Oral examining panel.

**WAC 356-22-010 Examination—Announcements.**

(1) Recruitment shall be conducted publicly in any manner which the director or designee determines will attract a sufficient number of qualified persons to meet the needs of the classified service, and shall include methods designed to attract affected group members. Recruitment announcements shall be posted publicly, as selected by the director, and at all offices of the department of personnel. Each recruitment announcement shall give the title and salary range of the class, a general description of the duties performed, the applicable minimum or desirable qualifications, the expected type of examination, and shall encourage affected group members to apply.

(2) The director may limit recruitment to applicants meeting selective criteria.

(3) The director may limit open competitive recruitment to applicants available for employment to specific geographic locations.

(4) Registers established under subsections (2) and (3) of this section will be used exclusively for filling positions for which such recruitment has been conducted.

[Statutory Authority: RCW 41.06.150. 99-05-043, § 356-22-010, filed 2/12/99, effective 4/1/99. Statutory Authority: RCW 41.06.040 and 41.06.150. 90-05-029 (Order 338), § 356-22-010, filed 2/13/90, effective 4/1/90. Statutory Authority: RCW 41.06.150. 87-02-038 (Order 267), § 356-22-010, filed 1/2/87; Order 63, § 356-22-010, filed 2/26/74; Order 36, § 356-22-010, filed 7/1/71, effective 8/1/71. Formerly WAC 356-16-010.]

**WAC 356-22-040 Applications—Contents—Restrictions.** (1) All applications shall be on a form prescribed by the department of personnel. The applicant's signature shall certify the truth of the stated information.

(2) The application shall include pertinent information regarding experience, training, and other information as deemed necessary by the director of personnel. A certificate

of physical fitness from one or more licensed physicians based upon job-related criteria may be required by the director of personnel or designee.

(3) No information shall be solicited or accepted which reveals an applicant's religious or political affiliations. Information regarding an applicant's affected group status shall be solicited only for use in an affirmative action program and shall be accepted only if it is voluntarily given by the applicant.

(4) Information regarding the nature and extent of a disability including a physician's statement, may be requested for affirmative action purposes and/or admittance to modified examinations under conditions specified in WAC 356-22-130.

[Statutory Authority: RCW 41.06.150. 99-05-043, § 356-22-040, filed 2/12/99, effective 4/1/99; 87-02-038 (Order 267), § 356-22-040, filed 1/2/87; Order 81, § 356-22-040, filed 8/21/75, effective 9/21/75; Order 80, § 356-22-040, filed 7/16/75, effective 8/16/75; Order 36, § 356-22-040, filed 7/1/71, effective 8/1/71. Formerly WAC 356-16-070 and 356-16-080.]

#### **WAC 356-22-090 Examinations—Composition.** (1)

The director of personnel, or designated representative, shall determine, by uniform standards, the appropriate examination for a register for a class and the tests, or combination of tests and relative weights to be assigned. Examinations shall be practical in nature and of such character as to determine the capacity of the applicant to perform the duties of the particular class of positions for which the applicant is competing as well as the applicant's general background and related knowledge, and shall be rated objectively. Examinations will be developed and administered in a manner that minimizes bias due to cultural differences. A passing score may be required on each test included in the examination.

Examinations shall normally consist of one or a combination of the following:

- (a) A written test.
- (b) A performance test.
- (c) An oral test.
- (d) An evaluation of experience and training.

(2) When the director of personnel determines that the number of applicants responding to an examination announcement is excessive in relation to the number of projected job openings, the director may limit admission to the oral test to those scoring highest on a preliminary test which may be a written test, performance test, or an evaluation of experience and training. The number admitted to the oral test shall be at least twice the number of anticipated vacancies for the subsequent year or 20% of those applicants with passing scores, whichever is greater; but never less than 16 or the entire body of passing applicants, whichever is less.

[Statutory Authority: RCW 41.06.150. 99-05-043, § 356-22-090, filed 2/12/99, effective 4/1/99. Statutory Authority: RCW 41.06.040 and 41.06.150. 91-20-036 (Order 390), § 356-22-090, filed 9/23/91, effective 11/1/91. Statutory Authority: RCW 41.06.150(17). 81-13-030 (Order 157), § 356-22-090, filed 6/15/81; Order 49, § 356-22-090, filed 8/17/72; Order 44, § 356-22-090, filed 4/14/72; Order 36, § 356-22-090, filed 7/1/71, effective 8/1/71. Formerly WAC 356-16-180 and 356-16-190.]

**WAC 356-22-180 Examination—Oral examining panel.** (1) The members of oral examining panels shall be chosen primarily for their ability to judge the qualifications

of applicants objectively. At least one member by past experience and training shall be generally familiar with the nature of the work for which the examination is being given. Emphasis will be placed on including at least one affected group member on each oral examining panel.

(2) No examining panel shall have fewer than two members. No person holding political office or any officer or committee member of any political organization shall serve as a member of such panel.

(3) If conditions require establishing multiple panels, tests and instructions shall be structured to ensure uniformity of examining conditions and rating standards.

(4) Members of oral examining panels shall disclose each instance in which they know an applicant to the extent that they have formed a prior personal bias for or against an applicant and shall disqualify themselves without rating the applicant or biasing the remaining members.

[Statutory Authority: RCW 41.06.150. 99-19-114, § 356-22-180, filed 9/21/99, effective 11/1/99; 99-05-043, § 356-22-180, filed 2/12/99, effective 4/1/99; 98-19-034, § 356-22-180, filed 9/10/98, effective 10/12/98; 87-02-038 (Order 267), § 356-22-180, filed 1/2/87. Statutory Authority: RCW 41.06.150(17). 78-04-014 (Order 117), § 356-22-180, filed 3/9/78; Order 36, § 356-22-180, filed 7/1/71, effective 8/1/71. Formerly WAC 356-16-220.]

### **Chapter 356-26 WAC**

#### **REGISTERS—CERTIFICATION**

##### **WAC**

356-26-010	Registers—Responsibility—Duration—Maintenance.
356-26-060	Certification—General methods.
356-26-070	Certification—Registers—Order of rank—Exception.
356-26-110	Certification—Actions required.

**WAC 356-26-010 Registers—Responsibility—Duration—Maintenance.** (1) The establishment, maintenance, and adequacy of all ranked and unranked registers shall be the responsibility of the director of personnel.

(2) A person's standing on a register shall be measured from the date that person's name is placed on the register.

(3) Each register shall indicate the person's geographic availability, available information on affected group status, and other appropriate considerations as determined by the director of personnel.

(4) The director of personnel may, as requested, designate agency personnel officers to act as agents of the department of personnel for the purposes of establishing and/or maintaining ranked and unranked local list registers unique to the employing agency and certifying names therefrom under these rules. The director of personnel will be responsible for establishing the necessary procedures which shall include monitoring agency activity. Applicants shall have appeal rights to the director in accordance with all other provisions of the rules.

[Statutory Authority: RCW 41.06.150. 99-05-043, § 356-26-010, filed 2/12/99, effective 4/1/99; 87-02-038 (Order 267), § 356-26-010, filed 1/2/87; Order 77, § 356-26-010, filed 5/7/75; Order 36, § 356-26-010, filed 7/1/71, effective 8/1/71. Formerly WAC 356-16-320.]

**WAC 356-26-060 Certification—General methods.** Upon receipt of a request for certification, the director of personnel shall normally certify to the appointing authority a list

of names equal in number to six more than there are vacancies to be filled from the ranked registers except:

(1) One name will constitute a complete certification when referrals are made from the agency reduction in force register, the service-wide reduction in force register, or the dual agency reversion register. When an appointing authority requests a selective certification for specialized qualifications, the eligible candidate must meet the selective criteria in order to be referred to the position, provided:

(a) The criteria were approved when the position was established, reallocated, or last filled; or

(b) The specialized qualifications were previously required for a classification that was later merged with other classifications that did not require them; or

(c) It has been determined that the position involves new duties that would warrant future selective certification. Such selective criteria shall not be applied for certification purposes until six months after the department of personnel approves the selective criteria for the position.

(d) In the case of (a), (b), or (c) of this subsection, the director of personnel or designee must determine that the specialized qualifications are still required for successful job performance and cannot be learned within a reasonable length of time.

(2) Where all names are certified exclusively from an open competitive register, the director of personnel may certify in ranked order up to all of the names from the open competitive register: Provided, That the appointing authority shall select from those eligibles available from the highest ranking names which constitute seven names per vacancy to be filled.

(3) The names of candidates from the same register who have the same score as the lowest score to be certified will also be certified.

(4) An unranked register may be used to complete a certification. An agency may request the transfer, reemployment, and/or voluntary demotion register(s) to complete a certification. In such cases, all names appearing on the specified register shall be certified. Subsequent unranked registers shall not be used until the certification is again incomplete.

(5) When the vacancy to be filled is identified as part of an agency's affirmative action goals as established by their approved affirmative action plan, the director of personnel may, except where there are employees on the reduction in force register, refer up to three additional names per vacancy of individuals who are on existing registers and who are persons with disabilities, Vietnam Era veterans and disabled veterans, and persons age 40 and above. More than three additional names per vacancy will be certified if there are eligibles in these categories with the same score as the lowest score to be certified. This action may be taken when necessary to comply with the best standards of personnel administration as contemplated by chapter 41.06 RCW.

Prior to the utilization of this subsection, the agency shall determine if there are eligibles in these categories on the existing registers. If there are fewer than three such eligibles on the register, the agency shall:

(a) Appoint one of the eligibles from the register; or

(b) Request assistance from the department of personnel in completing the certification. The department of personnel and the agency will then initiate targeted recruitment.

(6) When one or more of the following conditions exist, the director of personnel or designee may certify a sufficient number of names to assure that the requesting agency has not less than seven names available for consideration:

(a) The position is in an isolated or undesirable location.

(b) The position has undesirable working conditions.

(c) The agency needs to fill several positions in the class.

(d) One or more agencies have had difficulty filling positions in the class.

(e) The director of personnel or designee determines that such certification is necessary to provide the requesting agency with efficient service.

If such certification contains seven or more available promotional candidates, agencies shall appoint from the promotional candidates.

(7) Permanent employees certified from a ranked register for consideration of appointment shall be notified by the agency at the time of the referral. Upon appointment the agency shall advise those employees certified but not appointed of the action taken.

[Statutory Authority: RCW 41.06.150. 99-05-043, § 356-26-060, filed 2/12/99, effective 4/1/99. Statutory Authority: RCW 41.06.040 and 41.06.150. 93-19-147 (Order 432), § 356-26-060, filed 9/22/93, effective 10/23/93; 93-08-048 (Order 416), § 356-26-060, filed 4/2/93, effective 5/3/93; 91-02-030 (Order 366), § 356-26-060, filed 12/24/90, effective 2/1/91; 90-12-022 (Order 348), § 356-26-060, filed 5/30/90, effective 6/30/90. Statutory Authority: RCW 41.06.150. 87-24-025 (Order 284), § 356-26-060, filed 11/24/87, effective 1/1/88; 87-02-038 (Order 267), § 356-26-060, filed 1/2/87; 86-21-114 (Order 261), § 356-26-060, filed 10/20/86, effective 12/1/86; 85-23-048 (Order 238), § 356-26-060, filed 11/18/85. Statutory Authority: RCW 41.06.150(17). 82-19-092 (Order 175), § 356-26-060, filed 9/22/82; 81-20-060 (Order 161), § 356-26-060, filed 10/5/81; 81-03-017 (Order 151), § 356-26-060, filed 1/12/81. Statutory Authority: RCW 41.06.140(17). 80-04-025 (Order 142), § 356-26-060, filed 3/14/80. Statutory Authority: RCW 41.06.150(17). 79-12-072 (Order 138), § 356-26-060, filed 11/30/79, effective 1/1/80; 79-11-046 (Order 136), § 356-26-060, filed 10/15/79, effective 1/1/80; Order 112, § 356-26-060, filed 11/7/77; Order 96, § 356-26-060, filed 12/10/76 and 12/20/76; Order 77, § 356-26-060, filed 5/7/75; Order 68, § 356-26-060, filed 6/25/74; Order 66, § 356-26-060, filed 5/28/74; Order 56, § 356-26-060, filed 6/25/73; Order 54, § 356-26-060, filed 4/26/73; Order 36, § 356-26-060, filed 7/1/71, effective 8/1/71. Formerly WAC 356-20-020.]

**WAC 356-26-070 Certification—Registers—Order of rank—Exception.** The director of personnel will normally certify names from the registers in the following order:

- (1) Agency reduction in force register.
- (2) Service-wide reduction in force register.
- (3) Dual-agency reversion register.
- (4) Agency promotional register.
- (5) Higher education reduction in force register.
- (6) Service-wide reversion register.
- (7) Transfer register.
- (8) Voluntary demotion register.
- (9) Service-wide promotional register.
- (10) Reemployment unranked register.
- (11) Inter-system employment register.
- (12) Open competitive register.

However, if the director of personnel or agency designee with local list authority establish that it is in the best interest of the state to broaden the competition, agencies may request

the director of personnel or agency designee to certify names combined from registers (4), (9), (11), and (12) provided:

(a) The written request to the director or agency designee shall be evidence of assurance that:

(i) Such a request will not harmfully affect utilization of affected group members who are applicants for this class.

(ii) If the position is within a collective bargaining unit, the exclusive representative has been provided a copy of the request.

(iii) That the request is in the best interest of the state and not solely intended to circumvent the policy of promotion from within the state as provided in WAC 356-30-150.

(b) Request for combined registers must be made on a position-by position or a class basis and prior to recruitment or referral.

[Statutory Authority: RCW 41.06.150. 99-05-043, § 356-26-070, filed 2/12/99, effective 4/1/99; 95-19-098, § 356-26-070, filed 9/20/95, effective 11/1/95. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 94-10-008, § 356-26-070, filed 4/21/94, effective 5/31/94. Statutory Authority: RCW 41.06.150. 84-11-091 (Order 204), § 356-26-070, filed 5/23/84, effective 9/1/84; 83-09-030 (Order 183), § 356-26-070, filed 4/15/83. Statutory Authority: RCW 41.06.150(17). 81-20-060 (Order 161), § 356-26-070, filed 10/5/81; 79-12-072 (Order 138), § 356-26-070, filed 11/30/79, effective 1/1/80; Order 72, § 356-26-070, filed 1/30/75; Order 36, § 356-26-070, filed 7/1/71, effective 8/1/71. Formerly WAC 356-20-030.]

**WAC 356-26-110 Certification—Actions required.**

The department of personnel shall be notified by the appointing authority of actions taken on certifications. The date of selection constitutes the closing of the referral; however, exceptions may be granted in unusual circumstances. Fair consideration must be given to all names certified.

The following actions are allowed and/or required:

(1) Appropriate appointment of one of the names certified.

(2) Request for additional names to replace names of eligibles who:

(a) Were considered, provided they were only from unranked registers.

(b) Waived consideration, which shall be confirmed by the director.

(c) Failed to reply within four days of notice to appear for consideration.

(d) Were not satisfactory for valid and pertinent reasons directly connected with the position as determined by the director from a written report by the appointing authority.

The preceding actions may be taken, provided the additional name or names do not cause the total number of names certified to exceed the number normally certified.

(3) Request for cancellation of the certification in accordance with WAC 356-26-050.

[Statutory Authority: RCW 41.06.150. 99-03-044, § 356-26-110, filed 1/15/99, effective 3/1/99; Order 40, § 356-26-110, filed 12/10/71; Order 36, § 356-26-110, filed 7/1/71, effective 8/1/71. Formerly WAC 356-20-070.]

**Chapter 356-30 WAC  
APPOINTMENTS—SEPARATIONS**

WAC  
356-30-010

Appointments—Bona fide occupational qualifications.

**WAC 356-30-010 Appointments—Bona fide occupational qualifications.** All appointments and assignments of work in the state service shall be made on the basis of merit. However, restrictions based on creed, sex, or disability may be considered by the appointing authority when such restrictions have been approved by the human rights commission as bona fide occupational qualifications. Appointing authorities need not obtain approval from the human rights commission when taking action to reasonably accommodate a person of disability or when appointing persons with disabilities, Vietnam Era veterans and disabled veterans, and persons age 40 and above from a supplemental referral.

[Statutory Authority: RCW 41.06.150. 99-05-043, § 356-30-010, filed 2/12/99, effective 4/1/99; 87-02-038 (Order 267), § 356-30-010, filed 1/2/87; Order 36, § 356-30-010, filed 7/1/71, effective 8/1/71. Formerly WAC 356-20-105.]

**Chapter 356-56 WAC  
WASHINGTON MANAGEMENT SERVICE**

WAC

356-56-118

Relocation compensation.

**WAC 356-56-118 Relocation compensation.** (1) An agency director may authorize lump sum relocation compensation, within existing resources, whenever:

(a) It is reasonably necessary that a person make a domiciliary move in accepting a transfer or appointment; or

(b) It is necessary to successfully recruit or retain a qualified candidate or employee who will have to make a domiciliary move in order to accept the position.

(2) If the person receiving the relocation payment terminates or causes termination with the state within one year of the date of the appointment or transfer, the state is entitled to reimbursement of the lump sum compensation from the person. Termination as a result of layoff, disability separation, or other good cause as determined by the agency director will not require the person to repay the relocation compensation.

(3) Prior to authorizing lump sum relocation compensation, each agency shall develop written criteria which include:

(a) Defining the circumstances in which relocation compensation will be granted; and

(b) The method used in determining the amount of compensation.

[Statutory Authority: RCW 41.06.150. 99-22-106, § 356-56-118, filed 11/3/99, effective 12/6/99.]

**Title 359 WAC  
PERSONNEL RESOURCES  
BOARD**

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