

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**

Chapters

359-07

359-09

359-39

Public records.

Affirmative action.

Human resources training and development.

**359-48 State internship program.**

**Chapter 359-07 WAC  
PUBLIC RECORDS  
(Effective January 1, 2002)**

**WAC**

359-07-010	Purpose. (Effective January 1, 2002.)
359-07-020	Public records—Writings—Defined. (Effective January 1, 2002.)
359-07-030	Description and location of departmental organization. (Effective January 1, 2002.)
359-07-040	General method of operation. (Effective January 1, 2002.)
359-07-050	Office hours. (Effective January 1, 2002.)
359-07-055	Records index. (Effective January 1, 2002.)
359-07-060	Records availability—Copies obtained. (Effective January 1, 2002.)
359-07-070	Exemptions—Public records. (Effective January 1, 2002.)

**WAC 359-07-010 Purpose. (Effective January 1, 2002.)** The purpose of this chapter shall be to ensure compliance by the department of personnel with the provisions of chapter 42.17 RCW, Disclosure—Campaign finances—Lobbying—Records; and in particular with sections 25 through 32 of that act (RCW 42.17.250 through 42.17.350), dealing with public records.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-07-010, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-07-010, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-07-010, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-07-010, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-032, § 359-07-010, filed 12/29/93, effective 1/1/95.]

**WAC 359-07-020 Public records—Writings—Defined. (Effective January 1, 2002.)** (1) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds; or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents and electronic records.

(3) Both "public records" and "writings" as described in subsections (1) and (2) of this section are the property of the state of Washington and, in accordance with chapter 40.14 RCW, require the authority of the state records committee before their disposal may be accomplished.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-07-020, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-07-020, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-07-020, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-07-020, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-032, § 359-07-020, filed 12/29/93, effective 1/1/95.]

**WAC 359-07-030 Description and location of departmental organization. (Effective January 1, 2002.)** (1) The

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central office of the department of personnel is located at 521 Capitol Way S., Olympia, Washington.

(2) The staff is organized in five general areas:

(a) Recruitment division which provides for recruitment, examination, examination development, and certifications.

(b) Compensation and classification division which provides for salary surveys, compensation plan administration, classification, agency services and services to institutions of higher education and related boards.

(c) Human resource development division (located at 600 South Franklin Street, Olympia, Washington) which provides consultation on human resource development activities to agencies, training which is interagency in scope and guidelines for agency planning and evaluation of human resource development.

(i) Within the human resource development division, the employee advisory service offices are at the following locations: 3400 Capitol Boulevard, Olympia, Washington; 613 - 19th Avenue E., Suite 101, Seattle, Washington; and at Suite 604, Northtown Office Building, Spokane, Washington.

(d) Administrative division which provides departmental fiscal management, facilities, word processing support, agency personnel services, affirmative action, client relations, and labor relations services.

(e) Information systems division (located at Building #1, Rowesix, Lacey, Washington) which administers the central personnel/payroll and insurance eligibility computer systems.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-07-030, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-07-030, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-07-030, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-07-030, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-032, § 359-07-030, filed 12/29/93, effective 1/1/95.]

**WAC 359-07-040 General method of operation. (Effective January 1, 2002.)** (1) The general conduct of agency business is pursuant to the charter established in chapters 41.06 and 41.05 RCW, and Title 359 WAC.

(2) Provisions for all interested parties to participate in formulation of rules governing administration of the law is assured by a twenty-day notice requirement prerequisite to formal personnel resources board action on any jurisdictional matter, except appeals.

(3) Special meetings may be called by the board subject to twenty-four hour notice, as required by law.

(4) Informal work sessions with interested parties are conducted by staff of the department of personnel as necessary to ensure representation from interested parties before proposals are made to the board.

(5) All business of the department of personnel will be conducted in facilities which are accessible and/or in a manner which reasonably accommodates the needs of persons of disability.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-07-040, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-07-040, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-07-040, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-07-040, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-032, § 359-07-040, filed 12/29/93, effective 1/1/95.]

**WAC 359-07-050 Office hours. (Effective January 1, 2002.)** Public records shall be available for inspection and copying during the customary office hours of the department of personnel. For the purposes of this chapter, the customary office hours shall be from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding legal holidays.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-07-050, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-07-050, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-07-050, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-07-050, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-032, § 359-07-050, filed 12/29/93, effective 1/1/95.]

**WAC 359-07-055 Records index. (Effective January 1, 2002.)** (1) A public records index shall be maintained for all records which fall within the requirements of RCW 42.17.260.

(2) The index shall include a short title, brief description, the time period covered, the physical location and the custodial division for each record.

(3) The index will be updated on a continual basis as needed.

(4) Copies of the index will be made available at no charge upon request to the public records officer for the agency.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-07-055, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-07-055, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-07-055, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-07-055, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-032, § 359-07-055, filed 12/29/93, effective 1/1/95.]

**WAC 359-07-060 Records availability—Copies obtained. (Effective January 1, 2002.)** (1) Subject to WAC 359-07-070, copies of all public records defined in WAC 359-07-020 and identified in current indexes maintained in the Olympia office of the department of personnel shall be made available upon written request to the staff member designated by the director or his designee. Responses to such requests will be in the order received.

(2) No fee will be charged for inspection of public records. Inspection will be during office hours in a space provided by the director and must be accomplished without excessive interference with the essential functions of the agency.

(3) Copies of records will be made available at not more than actual cost to the department of personnel as determined by the director. Rules and regulations will be made available without charge.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-07-060, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-07-060, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-07-060, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-07-060, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-032, § 359-07-060, filed 12/29/93, effective 1/1/95.]

**WAC 359-07-070 Exemptions—Public records. (Effective January 1, 2002.)** (1) The department of personnel shall determine which public records requested in accordance with these rules are exempt under the provisions of RCW 42.17.310.

(2) Pursuant to RCW 42.17.260, the department of personnel may delete identifying details when it makes available or publishes any public record and in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The public records officer or a designated staff member will fully justify such deletion in writing.

(3) Denials by the designated staff member of requests for public records must be accompanied by a written statement specifying the reason for the denial. A statement of the specific exemption in chapter 42.17 RCW authorizing withholding the record and a brief explanation of how the exemption applies to the record withheld will be included.

(4) Denials of requests for public records will be reviewed by the director or designee within two working days of the denial.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-07-070, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-07-070, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-07-070, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-07-070, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-032, § 359-07-070, filed 12/29/93, effective 1/1/95.]

## Chapter 359-09 WAC

### AFFIRMATIVE ACTION (Effective January 1, 2002)

#### WAC

359-09-010	Purpose. (Effective January 1, 2002.)
359-09-012	Guidelines. (Effective January 1, 2002.)
359-09-015	Governor's affirmative action policy committee. (Effective January 1, 2002.)
359-09-020	Required submissions. (Effective January 1, 2002.)
359-09-030	Reasonable accommodation. (Effective January 1, 2002.)
359-09-040	Department of personnel. (Effective January 1, 2002.)
359-09-050	Testing—Supplemental certification. (Effective January 1, 2002.)

**WAC 359-09-010 Purpose. (Effective January 1, 2002.)** The purpose of this chapter is to provide guidance to state agencies, higher education institutions, and related boards to comply with the provisions of chapters 41.06, 49.60, and 49.74 RCW, and executive orders, which provide for affirmative action and equal employment opportunity. Equal employment opportunity is equal opportunity for all in employment matters; affirmative action is good faith efforts designed to correct the effects of past discrimination. Agencies, higher education institutions, and related boards will take measures to remove barriers to equal employment opportunity, to provide for affirmative action where underutilization exists, and to monitor progress toward achieving affirmative action goals through internal affirmative action programs.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-09-010, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-09-010, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-09-010, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-09-010, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-06-063, § 359-09-010, filed 3/2/94, effective 1/1/95.]

**WAC 359-09-012 Guidelines. (Effective January 1, 2002.)** State agencies, higher education institutions, and related boards shall use the applicable guidelines in the

development, implementation, and monitoring of affirmative action programs. References to affirmative action guidelines in this chapter, unless noted differently, shall mean state guidelines for state agencies, state guidelines for higher education institutions, or the regional standard affirmative action format.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-09-012, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-09-012, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-09-012, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-09-012, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-06-063, § 359-09-012, filed 3/2/94, effective 1/1/95.]

**WAC 359-09-015 Governor's affirmative action policy committee. (Effective January 1, 2002.)** The governor's affirmative action policy committee shall have jurisdiction for the development and oversight of affirmative action plans, including approving affirmative action plans for state agencies, higher education institutions, and related boards for implementation strategies and goal progress.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-09-015, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-09-015, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-09-015, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-09-015, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-06-063, § 359-09-015, filed 3/2/94, effective 1/1/95.]

**WAC 359-09-020 Required submissions. (Effective January 1, 2002.)** State agencies, higher education institutions, and related boards shall submit to the department of personnel policy statements, workforce profiles, and/or affirmative action plans and updates. The content and submission requirements shall be in accordance with the applicable guidelines. Policy statements will include statements on equal employment opportunity, affirmative action, sexual harassment, and reasonable accommodation.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-09-020, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-09-020, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-09-020, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-09-020, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-06-063, § 359-09-020, filed 3/2/94, effective 1/1/95.]

**WAC 359-09-030 Reasonable accommodation. (Effective January 1, 2002.)** State agencies, higher education institutions, and related boards will provide reasonable accommodation for persons with disabilities as required by state and federal law. Reasonable accommodation may include, but is not limited to, accommodation in application procedures, testing, and modifications or adjustments to a job, work method, or work environment that make it possible for a qualified person with a disability to perform the essential functions of a position.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-09-030, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-09-030, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-09-030, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-09-030, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-06-063, § 359-09-030, filed 3/2/94, effective 1/1/95.]

**WAC 359-09-040 Department of personnel. (Effective January 1, 2002.)** The department of personnel is

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responsible for administering the state's affirmative action program. It provides technical assistance in the development and implementation of affirmative action plans and programs to state agencies, higher education institutions, and related boards. In keeping with these responsibilities, and per applicable guidelines and state and federal laws, the department of personnel shall:

(1) Establish guidelines to assist in developing and implementing affirmative action plans.

(2) Provide the data essential in conducting required availability analysis.

(3) Provide technical review and approval of policy statements and affirmative action plans and updates. Submit technically approved plans and updates to the governor's affirmative action policy committee.

(4) Monitor the department's recruitment, testing, and training and career development programs for adverse impact, as necessary.

(5) Upon request of state agencies, higher education institutions, and related boards, assist in the recruitment of protected group members, including target recruitment when the representation of protected group members is less than their availability.

(6) Review the progress of state agencies, higher education institutions, and related boards, in meeting goals and addressing problems identified in affirmative action plans and programs.

(7) Review state-wide employment trends such as appointment, promotion, transfer, terminations, and formal disciplinary actions for adverse impact, as necessary.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-09-040, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-09-040, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-09-040, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-09-040, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-06-063, § 359-09-040, filed 3/2/94, effective 1/1/95.]

**WAC 359-09-050 Testing—Supplemental certification. (Effective January 1, 2002.)** (1) The department of personnel will make reasonable accommodations for persons with disabilities during test procedures.

(2) When a state agency, higher education institution, or related board has established affirmative action goals for classified employees in accordance with the applicable guidelines:

(a) Members of underutilized groups may be added anytime to registers and eligible lists as provided in chapter 359-26 WAC.

(b) When available, additional names of eligibles who meet applicable affirmative action criteria shall be certified in accordance with chapter 359-26 WAC.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-09-050, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-09-050, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-09-050, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-09-050, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-06-063, § 359-09-050, filed 3/2/94, effective 1/1/95.]

**Chapter 359-39 WAC**  
**HUMAN RESOURCES TRAINING AND DEVELOPMENT**  
**(Effective January 1, 2002)**

**WAC**

359-39-010	Purpose. (Effective January 1, 2002.)
359-39-020	Definitions. (Effective January 1, 2002.)
359-39-030	Assignment of responsibilities. (Effective January 1, 2002.)
359-39-040	Assignments for career development purposes. (Effective January 1, 2002.)
359-39-050	Human resource training and development plan—Criteria—Availability. (Effective January 1, 2002.)
359-39-090	Required entry-level management/supervisory training—Agency. (Effective January 1, 2002.)
359-39-140	Employee attendance at training. (Effective January 1, 2002.)

**WAC 359-39-010 Purpose. (Effective January 1, 2002.)** The purpose of this chapter is to establish rules and assign responsibilities for providing training and development to employees of state agencies, higher education institutions, and related boards. The objective of these rules is to provide opportunity for development of occupational or professional skills of employees to ensure the full utilization of the state's human resources.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-39-010, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-39-010, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-39-010, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-39-010, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-13-091, § 359-39-010, filed 6/14/94, effective 1/1/95.]

**WAC 359-39-020 Definitions. (Effective January 1, 2002.)** (1) **Career development.** The progressive development of employee capabilities to facilitate productivity, job satisfaction, and upward mobility through work assignments as well as education and training that are both state-sponsored and are achieved by individual employee efforts, all of which shall be consistent with the needs and obligations of the state and its agencies, higher education institutions and related boards.

(2) **Career planning.** A process designed to provide opportunities for employee career growth through job experience, training and/or continuing education.

(3) **Human resource training and development plan.** Each organization's written methods or design that specifies opportunities for training and development of occupational or professional skills of employees to ensure the full utilization of the state's human resources.

(4) **Training.** Activities designed to develop job-related knowledge and skills of employees.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-39-020, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-39-020, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-39-020, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-39-020, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-13-091, § 359-39-020, filed 6/14/94, effective 1/1/95.]

**WAC 359-39-030 Assignment of responsibilities. (Effective January 1, 2002.)** The responsibility for human resource training and development is shared by the department of personnel, other agencies, higher education institutions, related boards, and employees.

(1) Each agency, higher education institution, and related board is responsible for:

(a) Developing a human resource training and development plan;

(b) Submitting a summary of the human resource training and development plan, including estimated costs, to the director or director's designee of the department of personnel; and

(c) Providing employee orientation, required job-related training, and assistance with career planning.

(2) Each employee is responsible for participating in training associated with maintenance of required licenses and certifications, required training, and, if desired, personal career planning.

(3) The director or director's designee of the department of personnel shall support human resource training and development by:

(a) Providing training which is interagency and/or intra-system in scope;

(b) Consulting with agencies and higher education institutions and related boards in their human resource training and development activities, upon request;

(c) Providing guidelines for human resource training and development planning and evaluation; and

(d) Reviewing human resource training and development plans to promote intrasystem sharing of resources for training and career development.

(e) Providing for the evaluation of training and career development programs and plans based on the minimum standards established in WAC 359-39-050.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-39-030, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-39-030, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-39-030, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-39-030, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-13-091, § 359-39-030, filed 6/14/94, effective 1/1/95.]

**WAC 359-39-040 Assignments for career development purposes. (Effective January 1, 2002.)** (1) Agencies, higher education institutions, and related boards 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 classification on a time-limited basis.

(b) Rotational or special project assignments.

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

(3) Assignments of responsibilities outside of the current job classification for purposes other than identified in (1) of this section are subject to classification and compensation provisions elsewhere in these rules.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-39-040, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-39-040, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-39-040, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-39-040, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-13-091, § 359-39-040, filed 6/14/94, effective 1/1/95.]

**WAC 359-39-050 Human resource training and development plan—Criteria—Availability. (Effective January 1, 2002.)** (1) Each agency, higher education institution, and related board shall prepare a human resource training and development plan, with revision as needed. The plan shall be based on an assessment of the organization's human resource training and development needs. The plan shall state the policies and objectives for human resource training and development and the policies shall address, at a minimum, the following:

- (a) Identification of the position(s) responsible for employee training and development.
- (b) Criteria for employee eligibility.
- (c) Criteria for employees' leave, release time, or compensation while participating in human resource training and development activities.
- (d) Criteria for educational leave.
- (e) Tuition reimbursement or fee waiver policy.
- (f) Mandated training in accordance with state and federal regulations.
- (g) Provisions for entry-level management/supervisory training.
- (h) Provisions for the assessment of employee training and development needs.
- (i) Provisions for the involvement of employees in the development of training policies and plans.
- (j) Provisions for the evaluation of the training and development programs.
- (k) Provisions for assignments for career development as described in WAC 359-39-040(1) and approval of such assignments by the immediate supervisor and the organization's designee(s). The designee(s) shall be identified in the plan.

(2) Copies of the human resource training and development plan shall be made available to employees upon request.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-39-050, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-39-050, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-39-050, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-39-050, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-13-091, § 359-39-050, filed 6/14/94, effective 1/1/95.]

**WAC 359-39-090 Required entry-level management/supervisory training—Agency. (Effective January 1, 2002.)** (1) Each agency shall require employees appointed to a supervisory or management position to successfully complete an entry-level supervisory or management training course as approved by the director of the department of personnel. Employees shall be enrolled in this training within nine months of the date of their appointment, or if training is not available, as soon thereafter as it becomes available. When training opportunities are available, the agency may suspend the entry-level training requirement, for up to a maximum of an additional six months.

(2) The director or director's designee of the department of personnel shall establish criteria by which such training is approved or considered equivalent.

(3) An agency may waive the requirement for entry-level training in cases where an employee has occupied a designated supervisory or management position for at least one

year, prior to the present appointment, and has demonstrated experience and competence as a substitute for training.

(a) The agency shall advise an affected employee in writing of waiver to this training.

(b) The record of such waiver shall be placed in the employee's personnel file and shall be reported following procedures outlined by the department of personnel.

(4) Each agency shall designate individual positions, or groups of positions, as being supervisory or entry-level management positions. Criteria for such designations shall be published by the department of personnel.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-39-090, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-39-090, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-39-090, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-39-090, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-13-091, § 359-39-090, filed 6/14/94, effective 1/1/95.]

**WAC 359-39-140 Employee attendance at training. (Effective January 1, 2002.)** (1) Agencies, higher education institutions, and related boards may require employees to attend training which is job related or meets an identified employer need. Such required attendance during and/or outside of working hours shall be considered time worked and compensated in accordance with these rules.

(2) Employee attendance, either on approved leave or outside of working hours, at training that is not required shall be voluntary and not considered time worked.

(3) Employers may provide release time for nonrequired training.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-39-140, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-39-140, filed 11/26/97, effective 1/1/00; 94-23-136 and 95-23-062, § 359-39-140, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-13-091, § 359-39-140, filed 6/14/94, effective 1/1/95.]

## Chapter 359-48 WAC

### STATE INTERNSHIP PROGRAM (Effective January 1, 2002)

#### WAC

359-48-010	State internship program—Purpose. (Effective January 1, 2002.)
359-48-020	State internship program—Application of rules. (Effective January 1, 2002.)
359-48-030	State internship program—General provisions. (Effective January 1, 2002.)
359-48-040	State internship program—Eligibility—Duration of internship. (Effective January 1, 2002.)
359-48-050	State internship program—Return rights—Benefits. (Effective January 1, 2002.)
359-48-060	State internship program—Completion of internship. (Effective January 1, 2002.)

**WAC 359-48-010 State internship program—Purpose. (Effective January 1, 2002.)** The purpose of the state internship program is to assist students and state employees in gaining valuable work experience and knowledge in various areas of state government. The program shall be administered by the office of the governor.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-48-010, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-48-010, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-48-010, filed 11/14/96, effective 1/1/98; 94-23-136 and

95-23-062, § 359-48-010, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-033, § 359-48-010, filed 12/29/93, effective 1/1/95.]

**WAC 359-48-020 State internship program—Application of rules.** (Effective January 1, 2002.) With the exceptions noted in chapter 359-48 WAC, the remainder of the merit system rules do not apply to positions in the state internship program.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-48-020, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-48-020, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-48-020, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-48-020, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-033, § 359-48-020, filed 12/29/93, effective 1/1/95.]

**WAC 359-48-030 State internship program—General provisions.** (Effective January 1, 2002.) (1) No agency or institution of higher education or related boards shall be deemed to exceed any limitation or full-time equivalent staff positions on the basis of intern positions established under the state internship program.

(2) The provisions of chapter 359-48 WAC shall not limit the authority of state agencies or institutions of higher education and related boards to continue or establish other internship programs or positions.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-48-030, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-48-030, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-48-030, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-48-030, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-033, § 359-48-030, filed 12/29/93, effective 1/1/95.]

**WAC 359-48-040 State internship program—Eligibility—Duration of internship.** (Effective January 1, 2002.) The state internship program shall consist of two individual internship programs:

(1) An undergraduate internship program for students working toward an undergraduate degree. In addition, any state employee, whether working toward a degree or not, shall be eligible to participate in the program upon the written recommendation of the head of the employee's agency or head of the employee's department at institutions of higher education. Persons selected to participate in the undergraduate internship program shall serve internships of three to six months.

(2) An executive fellows program for students who have successfully completed at least one year of graduate-level work and have demonstrated a substantial interest in public sector management. In addition, any state employee, whether working toward an advanced degree or not, shall be eligible to participate in the program upon the written recommendation of the head of the employee's agency or head of the employee's department at an institution of higher education. Positions in this program shall be as assistants or analysts at the mid-management level or higher. Persons selected to participate in the executive fellows program shall serve internships for one to two years.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-48-040, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-48-040, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-48-040, filed 11/14/96, effective 1/1/98; 94-23-136 and

95-23-062, § 359-48-040, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-033, § 359-48-040, filed 12/29/93, effective 1/1/95.]

**WAC 359-48-050 State internship program—Return rights—Benefits.** (Effective January 1, 2002.) (1) Employees leaving classified or exempt positions in state government or institutions of higher education and related boards to participate in the state internship program shall:

(a) Continue to receive all fringe benefits as if they had never left their classified or exempt position. In addition, employees leaving classified positions shall continue to accrue seniority while in the state internship program.

(b) Have the right to return to their previous position at any time during the internship or upon completion of the internship.

(2) Participants in the undergraduate internship program who were not state employees prior to accepting a position in the program shall accrue sick leave credits commensurate with other state employees.

(3) Participants in the executive fellows program who were not state employees prior to accepting a position in the program shall:

(a) Accrue sick leave and vacation leave credits commensurate with other state employees; and

(b) Receive insurance and retirement credit commensurate with other employees of the employing agency.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-48-050, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-48-050, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-48-050, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-48-050, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-033, § 359-48-050, filed 12/29/93, effective 1/1/95.]

**WAC 359-48-060 State internship program—Completion of internship.** (Effective January 1, 2002.) Successful completion of an internship in the undergraduate internship program or the executive fellows program shall be considered as employment experience at the level at which the intern was placed.

[Statutory Authority: RCW 41.06.150. 99-24-080, § 359-48-060, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-48-060, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-48-060, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-48-060, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-033, § 359-48-060, filed 12/29/93, effective 1/1/95.]

## Title 363 WAC

# BOARD OF PILOTAGE COMMISSIONERS

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