

WAC 415-112-487 Are optional payments considered earnable compensation? If you receive an additional payment only on the condition of taking an action other than providing service to your employer, the payment is not earnable compensation.

Example: An employer offers to make a contribution to Joe's deferred compensation plan only if Joe agrees to have a portion of his salary deferred. Because Joe does not have a right to receive the contribution based solely on providing service, the payment is not earnable compensation.

[Statutory Authority: RCW 41.50.050(5) and 41.32.010(10). WSR 05-12-108, § 415-112-487, filed 5/27/05, effective 6/27/05. Statutory Authority: RCW 41.50.050. WSR 97-03-016, § 415-112-487, filed 1/6/97, effective 2/6/97.]