WAC 415-104-367 Cafeteria plans. Compensation received in any form under the provisions of a "cafeteria plan," "flexible benefits plan," or similar arrangement pursuant to section 125 of the United States Internal Revenue Code is basic salary for LEOFF Plan II if the member has an absolute right to receive cash in lieu of the fringe benefits offered. In such an instance, the fringe benefits are being provided in lieu of cash and are considered basic salary, just as the cash would be. If there is no cash option, the value of the fringe benefit is not a salary or wage and is not basic salary for LEOFF Plan II. See WAC 415-104-385.

[Statutory Authority: RCW 41.50.[0]50. WSR 25-09-022, s 415-104-367, filed 4/7/25, effective 5/8/25. Statutory Authority: RCW 41.50.050 and 41.50.055. WSR 97-01-016, § 415-104-367, filed 12/6/96, effective 1/6/97.]