

---

**State Government Committee**

---

**HB 1184**

**Brief Description:** Revising the definition of "manager" under the state civil service law.

**Sponsors:** Representatives Armstrong, Miloscia, Hinkle, Carrell, Condotta, Cairnes, Newhouse, Delvin, Anderson, Haigh, Mielke, Schoesler, Ruderman, Schindler and McMahan.

**Brief Summary of Bill**

- Changes the definition of "manager" for purposes of the Washington Management System.

**Hearing Date:** 2/14/03

**Staff:** Katie Blinn (786-7114).

**Background:**

The Washington Management Service (WMS) was established in 1993 as a separate personnel system for management positions within the executive branch of state government. Its purpose is to develop and maintain a professional managerial workforce, and to provide agencies increased flexibility for their management positions in the areas of hiring and setting compensation.

The WMS applies to classified management positions in the state's civil service system, known as Merit System 1. According to a Joint Legislative Audit and Review Committee (JLARC) Report 02-2, as of July 2001, there were approximately 5,000 employees in the WMS, which was just less than 9 percent of the total Merit System 1 workforce of approximately 57,000. There are two groups of executive branch managers not included within the WMS:

- Exempt positions that are statutorily exempt from civil service rules. This includes many of the highest ranking positions within an agency, such as agency directors, deputy directors, assistant directors, division directors, and high-ranking policy assistants.
- Other personnel systems such as higher education, marine transportation, and state printer employees.

The Department of Personnel is authorized to adopt separate rules for managers covered by the WMS. The WMS rules govern recruitment, appointment, classification, training and career development, hours of work, probation, compensation, transfer, promotion, layoff, re-employment, discipline, and other personnel practices for managers. Under the 2002 civil service law, WMS managers will be prohibited from belonging to a collective bargaining unit as of July 1, 2005.

To qualify for the WMS, a "manager" must meet any one of the following five criteria:

- Formulate state-wide policy or direct the work of an agency or agency subdivision;
- Administer at least one state-wide agency or subdivision policy or program;
- Manages, administer, and control a local branch office of an agency or subdivision, including physical, financial, or personnel resources;
- Have substantial personnel, legislative, public information, or budget responsibilities; or
- Be above the first level of supervision, exercise authority that is not merely routine or clerical, and use independent judgment.

**Summary of Bill:**

To qualify for the WMS, a "manager" must meet all three of the following criteria:

- Formulate state-wide policy or direct the work of an agency or agency subdivision;
- Administer at least one state-wide policy or program; and
- Either: (a) be above the first level of supervision, exercise authority that is not merely routine or clerical, and use independent judgment; or (b) have substantial personnel, legislative, public information, or budget responsibilities.

No more than 7 percent of an agency's work force may be in the WMS, excluding employee positions separately funded with non-state funds.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect ninety days after adjournment of session in which bill is passed.