

use one campsite or portion of a designated group camping or emergency area. One additional vehicle without built-in sleeping accommodations may be part of the camping unit of a holder at one campsite or portion of a designated group camping or emergency area when in the judgment of a ranger the constructed facilities so warrant and the total number of guests of the holder do not exceed seven.

(7) For pass holders who travel by a mode of transportation other than car or recreational vehicle a camping unit shall include the pass holder and up to five guests who travel with the holder and use one campsite or portion of a designated group camping or emergency area.

(8) If the conditions of a pass holder change during the time period when a pass is valid such that a pass holder no longer meets the eligibility requirements of RCW 43.51.055 and WAC 352-32-251, then a pass holder shall return a pass to the commission.

[Statutory Authority: RCW 43.51.060, 43.51.055, 43.51.050, 43.51.040 and 43.51.300. 97-21-133, § 352-32-251, filed 10/21/97, effective 1/1/98. Statutory Authority: RCW 43.51.060, 43.51.055, 43.51.050 and 43.51.040. 96-22-018, § 352-32-251, filed 10/29/96, effective 1/1/97. Statutory Authority: RCW 43.51.040 and 43.51.060. 90-04-024, § 352-32-251, filed 1/29/90, effective 3/1/90. Statutory Authority: RCW 43.51.040, 43.51.055 and 43.51.060. 88-19-087 (Order 106), § 352-32-251, filed 9/19/88. Statutory Authority: RCW 43.51.055 and 43.51.060. 83-23-094 (Order 71), § 352-32-251, filed 11/22/83.]

WAC 352-32-270 Sno-park permit. Fees for the winter recreational area parking permits will be established by the commission and shall be published by state parks. These permits include:

(1) Seasonal permit - commences October 1 and expires May 1 of the winter season for which it is issued.

(2) One day permit - commences on the date identified on the permit in the space provided and expires on that same date.

(3) Special groomed trail permit - the director may designate certain sno-parks as requiring a special groomed trail permit. In making this designation the director may consider the following factors:

The facilities and services available;

The demand for facilities and services; user days; and

Such other considerations as the director deems appropriate.

[Statutory Authority: RCW 43.51.060, 43.51.055, 43.51.050, 43.51.040 and 43.51.300. 97-21-133, § 352-32-270, filed 10/21/97, effective 1/1/98. Statutory Authority: RCW 43.51.040. 92-15-120, § 352-32-270, filed 7/21/92, effective 8/21/92; 91-09-001, § 352-32-270, filed 4/4/91, effective 10/1/91. 91-09-001, § 352-32-270, filed 4/4/91, effective 10/1/91. Statutory Authority: RCW 43.51.050. 90-10-023, § 352-32-270, filed 4/23/90, effective 5/24/90. Statutory Authority: RCW 43.51.300. 82-19-075 (Order 63), § 352-32-270, filed 9/21/82.]

Title 356 WAC PERSONNEL, DEPARTMENT OF

Chapters

- 356-15** Compensation plan appendix.
- 356-30** Appointments—Separations.
- 356-56** Washington management service.

Chapter 356-15 WAC COMPENSATION PLAN APPENDIX

WAC

- 356-15-090 Schedule change and compensation.
- 356-15-130 Special pay ranges.

WAC 356-15-090 Schedule change and compensation. (1) The agency shall schedule the working days and hours of scheduled work period employees. This schedule shall remain in effect for at least seven calendar days, and may be changed only with seven or more calendar days notice. If seven calendar days notice is not given, a new schedule does not exist until the notice period expires. Agencies may notify employees of more than one future schedule change in a single notice.

The seven calendar days notice of changes in working days and/or hours must be given to the affected employees during their scheduled working hours. The day that notification is given shall constitute a day of notice.

(2) If the agency changes the assigned hours or days of scheduled work period employees without giving them at least seven days notice of the change, employees will be paid for all time worked outside the scheduled hours or days at the overtime rate for the duration of the notice period.

(a) When changes in employees' assigned hours or days are made without proper notice, employees may work their scheduled hours or days unless the agency deems that:

(i) The employees are unable to perform satisfactorily as the result of excessive overtime hours; or

(ii) The work which normally would have been performed within the scheduled hours or days cannot be performed.

(b) The state is not obligated to pay for those scheduled hours or days not worked, unless the employee is on an authorized leave of absence with pay.

(c) Overtime pay and shift or schedule change pay shall not be paid for the same incident.

(3) Regardless of whether advance notice is given, an agency is not obligated to pay overtime due to a change in work schedule, when such a change is in response to a request from an employee, provided the employee works no more than forty hours in a workweek.

When the majority of employees in a work unit ask, in writing, for such a change, and the work unit can function properly only if all employees in the unit work the proposed schedule or scheduling plan, the agency is authorized to approve the change for the entire unit as an employee-

initiated change. A written request for a schedule change from the exclusive representative shall constitute a request of employees within a certified bargaining unit.

(4) When an agency initiates a scheduled change from one scheduled standard work schedule to another scheduled standard work schedule, there is created a seven-day transition period.

(a) The transition period starts at the beginning of the shift of the previous schedule which would have begun a new five-consecutive-day work cycle.

(Example: An eight-to-five Tuesday through Saturday employee changes to a Sunday-Thursday schedule beginning on Sunday. The transition period starts at eight a.m. on the last Tuesday of the old schedule, and runs until eight a.m. on the first Tuesday under the new schedule.)

(b) If, during the transition period, the employee must work more than five of the seven workdays, then the work in excess of forty non-overtime hours will be paid at overtime rates.

(c) If, during the transition period, the schedule change causes an employee to begin work on an earlier day of the workweek or at an earlier hour of the workday than was required under the old schedule, the employee will be paid at the overtime rate for the first hours worked in the new schedule which precede the next hours which the employee would have worked under the old schedule.

(5) Contingency scheduling is allowed for employees having the following responsibilities: Highway snow, ice, and avalanche control, grain inspection, horticulture inspection; and in the departments of natural resources or corrections, controlling forest fires, or performing work in a fire camp in support of fire crews, "hoot owl," forest fuels management and aerial applications.

(a) Therefore: For non-forest-fire personnel in scheduled work period positions, the agency shall not be bound by the above scheduled shift change notice requirement if the agency notifies affected employees of the contingency schedule in writing when they enter the position or not less than 30 days prior to implementation.

When conditions mandate the activating of the contingency schedule, the agency shall pay affected employees the overtime rate for all hours worked outside the original schedule at least for the employee's first shift of the contingency schedule and for other overtime hours covered by subsection (7) of this section.

(b) For forest-fire control and fire-camp support personnel in scheduled work period positions, the above schedule change notice requirement shall not apply if the agency notifies affected employees in writing that they are subject to contingency scheduling when they enter the position or not less than 30 days prior to implementation.

When an employee's forest fire contingency schedule requires him or her to change working hours from the previous schedule, the agency shall pay the affected employee the overtime rate for all hours worked outside the previous schedule for the employee's first shift of the new contingency schedule.

When such employees have completed the first eight hours of their assigned contingency shift (10 hours in the case of 10-40 work schedule employees), they shall receive overtime rates for all subsequent work performed until released from duty for a period of five consecutive hours.

(6) In the department of corrections, division of prisons, the agency and the employees may agree that employees sent to forest fire camps in charge of inmate fire fighters for a period of twenty four hours or more will be on "extended duty assignment." Employees on extended duty assignment will be considered to be on continuous duty from the time they commence such duty including travel time to the fire, until they are released from duty including travel time for return to their nonfire duty station.

(a) During the extended duty assignment, all time will be paid as work time, except that the employer may deduct up to eight hours of nonwork time each day for sleep, plus up to three hours for meals, provided that:

(i) The employee has no responsibility during time deducted for meal periods.

(ii) The time deducted for sleep includes a period of five continuous hours which are not interrupted by a call to work.

(iii) No sleep time shall be deducted if the employer does not furnish adequate sleeping facilities. Adequate sleeping facilities are those which are usual and customary for forest fire camps.

(b) Scheduled work period employees shall be entitled to call back pay to the extent described in WAC 356-15-100 and 356-15-110 for a maximum of one payment, equal to three straight-time hours, at the commencement of an extended duty assignment. No call-back payment shall be made for any work during the hours of an extended duty assignment, or the transition back to the regular work schedule.

(c) The beginning of each work week on extended duty assignment shall be unchanged from the last previous work week on the employee's regular work schedule. All compensable hours of work on extended duty assignment shall be at overtime rates except eight in any work day. All compensable hours on a holiday shall be at overtime rates.

(d) There are no scheduled days off during an extended duty assignment. However, compensable hours on a holiday, and all compensable hours in excess of forty straight time hours in any workweek (including hours worked within the same workweek either before or after the extended duty assignment), shall be paid at overtime rates.

(e) During an extended duty assignment, all hours are duty hours; there is no eligibility for standby pay.

(f) Employees whose regular scheduled work shift entitles them to shift premium for their full shift, or a portion thereof, shall be paid shift premium as follows:

(i) Employees whose regular schedules are all night shifts will continue to receive night shift premium for all paid hours of the extended duty assignment.

(ii) Employees whose regular schedules call for some, but less than four hours of, night shift work each day will continue to receive the same number of hours at shift premium during each workday of the extended duty assignment.

(iii) Employees whose regular schedules call for some, but not all, full night shifts each week will receive shift premium for all paid hours on those same days during the extended duty assignment.

(7) When a scheduled or nonscheduled work period employee experiences a schedule change (within or between agencies) which causes an overlap in workweeks and

requires work in excess of forty hours in either the old or the new workweek, the employee must receive overtime compensation at least equal to the amount resulting from the following calculations:

(a)(i) Starting at the beginning of the "old" workweek, count all hours actually worked before the end of that workweek, and calculate the straight-time pay and the overtime pay (based on "regular rate" as defined in WAC 356-05-353).

(ii) Starting at the conclusion of the "new" workweek, count back to include all hours actually worked since the beginning of that workweek, and calculate the straight-time and overtime (based on "regular rate" as defined in WAC 356-05-353).

(iii) Pay the larger amount calculated under (a)(i) and (ii) of this subsection.

(b) If any other combination of straight-time and time-and-one-half-rate pay required by these rules results in an amount of pay, for either workweek, which is greater than the amount calculated in (a)(iii) of this subsection, then only the larger amount should be paid.

(8) If overtime is incurred as a result of employee movement between state agencies, the overtime will be borne by the receiving agency.

[Statutory Authority: RCW 41.06.150. 97-24-038, § 356-15-090, filed 11/26/97, effective 1/1/98; 96-02-073, § 356-15-090, filed 1/3/96, effective 2/3/96; 89-16-031 (Order 328), § 356-15-090, filed 7/25/89, effective 8/25/89; 89-10-040 (Order 317), § 356-15-090, filed 4/28/89, effective 6/1/89; 87-24-026 (Order 285), § 356-15-090, filed 11/24/87, effective 1/1/88; 87-10-037 (Order 274), § 356-15-090, filed 5/1/87, effective 6/1/87; 86-12-025 (Order 248), § 356-15-090, filed 5/28/86, effective 7/1/86; 83-18-031 (Order 191), § 356-15-090, filed 8/31/83; Order 114, § 356-15-090, filed 12/21/77; Order 98, § 356-15-090, filed 1/13/77, effective 2/13/77; Order 86, § 356-15-090, filed 5/4/76, effective 10/1/76.*]

WAC 356-15-130 Special pay ranges. The personnel resources board may allow for special pay ranges to equal or approximate prevailing rate practices found in private industry or other governmental units. An affected class is identified either by a letter designation following the basic salary range number or by a letter designation preceding a number. In the latter case, a special salary schedule will be used for such classes.

Details of the affected classes with a special pay range will appear in the salary schedule section of the compensation plan.

[Statutory Authority: RCW 41.06.150. 97-24-038, § 356-15-130, filed 11/26/97, effective 1/1/98. Statutory Authority: RCW 41.06.040 and 41.06.150. 92-22-043 (Order 413), § 356-15-130, filed 10/27/92, effective 12/1/92; 91-13-034 and 91-15-021 (Orders 373 and 373A), § 356-15-130, filed 6/13/91 and 7/11/91, effective 7/14/91 and 8/11/91; 91-05-083 (Order 370), § 356-15-130, filed 2/20/91, effective 4/1/91; 90-23-030 (Order 361), § 356-15-130, filed 11/14/90, effective 12/15/90; 90-13-068 (Order 355), § 356-15-130, filed 6/18/90, effective 7/19/90. Statutory Authority: RCW 41.06.150. 89-14-027 (Order 321), § 356-15-130, filed 6/26/89, effective 8/1/89; 85-09-030 (Order 221), § 356-15-130, filed 4/12/85; 83-08-010 (Order 181), § 356-15-130, filed 3/25/83. Statutory Authority: RCW 41.06.150(17). 81-23-031 (Order 163), § 356-15-130, filed 11/16/81; 79-12-012 (Order 137), § 356-15-130, filed 11/13/79; Order 109, § 356-15-130, filed 9/7/77; Order 98, § 356-15-130, filed 1/13/77, effective 2/13/77; Order 86, § 356-15-130, filed 5/4/76, effective 10/1/76.*]

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

WAC

356-30-065 Temporary appointments—From outside state service.
356-30-067 Temporary appointments from within classified service.

WAC 356-30-065 Temporary appointments—From outside state service. (1) Temporary appointments may be made to classified positions during the absence of a permanent employee, to reduce the effects of an impending or actual reduction in force, or during a workload peak when there is a need to fill a position for not more than nine months or 1560 nonovertime hours or while recruitment is being conducted to establish a complete register.

(2) Temporary appointments may be made at a lower level than the allocation of the position being filled provided the class falls within the same or a related class series.

(3) Temporary appointments shall be approved by the director of personnel, or designee. Single or multiple temporary appointments shall last no more than nine months or 1560 nonovertime hours within a twelve-month period. Time spent in emergency appointments will be counted in the 1560 hours.

(4) No temporary appointment of an employee who has worked for the agency for nine months or 1560 nonovertime hours within the last twelve months may be made without a three-month break in service. Consecutive nonpermanent appointments of the same person in the same agency which would cause the employee to work more than 1560 nonovertime hours in a twelve-month period can only be made with the approval of the director of personnel. Extensions of temporary appointments of persons from outside classified service may be granted when a permanent employee's leave extends beyond nine months or 1560 nonovertime hours or as otherwise approved by the director of personnel. Such extensions must be approved by the director of personnel.

(5) Temporary appointees must meet the minimum qualifications of the class to which they are appointed unless the director of personnel determines that program needs demand otherwise. Established registers, certification, and referral services are available and may be used when making temporary appointments. An employee given a temporary appointment following certification from the register to fill a position in the absence of a permanent employee may enter a probationary period when the permanent employee does not return to the position and the agency needs to fill the position permanently. The director must approve the change in status before it occurs. Time served in a temporary appointment will not be counted as part of the probationary period.

(6) Compensation of temporary employees shall be consistent with the rules unless exempted by RCW 41.06.070 and WAC 356-06-020.

(7) Merit system rules governing all forms of leave will apply to temporary employees unless exempted by RCW 41.06.070 and WAC 356-06-020.

(8) An employee's temporary appointment may be ended by stipulating a termination date in the appointment letter or by giving one full working day's notice prior to the

effective date. The employee receiving such notice shall not have the right of appeal or hearing.

(9) The appointing authority shall advise the temporary employee of the temporary status of the appointment. Temporary employees not appointed from within the classified service have no appeal rights.

(10) The director of personnel shall monitor temporary appointments made pursuant to this section and may revoke delegated authority where abuse is found.

[Statutory Authority: RCW 41.06.150. 97-19-044, § 356-30-065, filed 9/11/97, effective 11/1/97; 88-18-096 (Order 308), § 356-30-065, filed 9/7/88, effective 11/1/88; 84-21-071 (Order 210), § 356-30-065, filed 10/17/84; 84-12-079 (Order 206), § 356-30-065, filed 6/6/84.]

WAC 356-30-067 Temporary appointments from within classified service. (1) Temporary appointments may be made with the approval of the director of personnel or designee to classified positions during the absence of a permanent employee, to reduce the effects of an impending or actual reduction in force, or during a workload peak when there is a need to fill a position for not more than nine months or 1560 nonovertime hours or while recruitment is being conducted to establish a complete register.

(2) Temporary appointments may be made at a lower level than the allocation of the position being filled provided the class falls within the same or a related class series.

(3) All temporary appointments to supervisory or managerial positions must be made from within state service unless the director determines that such action is not practicable.

(4) Established registers, certification, and referral services are available and may be used when making temporary appointments. An employee certified from the register to fill a position in the absence of a permanent employee may enter a probationary or trial service period and subsequently gain permanent status when the permanent employee does not return to the position and the agency needs to fill the position permanently. The director of personnel must approve the change in status before it occurs. Time served in a temporary appointment will not be counted as part of the probationary or trial service period.

(5) Temporary appointees must meet the minimum qualifications of the class to which they are appointed unless the director of personnel determines that program needs demand otherwise. Upon termination of such temporary appointment, permanent or probationary employees shall have the right to resume a permanent position within their permanent agency at their former status except as provided in (6) below. The employee's salary upon return will be determined as if the employee had remained in the permanent position.

(6) An employee who accepts a temporary appointment to a higher class in the same series in the same work unit shall continue the probationary or trial service period for the lower class.

(7) Temporary appointments made from within classified service will normally last no more than nine months or 1560 nonovertime hours for single or multiple appointments. An extension may be approved by the director when a temporary appointment is made to replace a permanent employee who has been granted a leave of absence, when temporarily filling a supervisory or managerial position when

there is reorganization pending, or as otherwise approved by the director. Temporary appointments may extend to thirty days after the date the permanent employee returns or the position is filled permanently. Time spent in emergency appointments will be counted in the 1560 hours.

(8) Compensation for temporary appointees shall be made in accordance with the rules governing promotions, demotions, or transfers.

(9) The director of personnel shall monitor temporary appointments made pursuant to this section and may revoke delegated authority where abuse is found.

[Statutory Authority: RCW 41.06.150. 97-19-044, § 356-30-067, filed 9/11/97, effective 11/1/97. Statutory Authority: RCW 41.06.040 and 41.06.150. 91-20-029 (Order 383), § 356-30-067, filed 9/23/91, effective 11/1/91. Statutory Authority: RCW 41.06.150. 89-14-026 (Order 320), § 356-30-067, filed 6/26/89, effective 8/1/89; 89-04-027 (Order 313), § 356-30-067, filed 1/25/89, effective 3/1/89; 88-18-096 (Order 308), § 356-30-067, filed 9/7/88, effective 11/1/88.]

Chapter 356-56 WAC

WASHINGTON MANAGEMENT SERVICE

WAC

356-56-035	Definitions.
356-56-115	Salary adjustments.
356-56-205	Movement within Washington management service.
356-56-550	Reduction in force—Agency procedure—Bump options.

WAC 356-56-035 Definitions. (1) **Anchor positions.** Generic anchor positions are those which are found in many agencies; they are commonly understood and similarly used from agency to agency. Agency-specific anchor positions are those anchor positions in each agency which are commonly understood and similarly used throughout the agency.

(2) **Appointing authority.** A person or group of persons designated by the agency head to make appointments, impose formal discipline or otherwise regulate personnel matters.

(3) **Evaluation points.** The points resulting from an evaluation of a position using the managerial job value assessment chart.

(4) **Management bands.** A series of management levels included in the Washington management service. Placement in a band reflects the nature of management, decision-making environment and policy impact, and scope of management accountability and control assigned to the position.

(5) **Salary standard.** The maximum dollar amount assigned to a position in those agencies that use a salary standard in addition to, or in place of, evaluation points.

(6) **Transfer.** Movement from one position to a different position with the same evaluation points.

(7) **Washington general service.** The system of personnel administration that applies to classified employees or positions under the jurisdiction of chapter 41.06 RCW and exclusively under those chapters of Title 356 WAC that are adopted by the Washington personnel resources board.

(8) **Washington management service.** The system of personnel administration that applies to classified managerial employees or positions under the jurisdiction of RCW

41.06.022 and 41.06.500 and those chapters of Title 356 WAC that are adopted by the director of personnel.

[Statutory Authority: RCW 41.06.500. 97-23-001, § 356-56-035, filed 11/5/97, effective 12/8/97. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.500. 94-12-055, § 356-56-035, filed 5/27/94, effective 7/1/94; 94-01-126, § 356-56-035, filed 12/17/93, effective 1/18/94.]

WAC 356-56-115 Salary adjustments. (1) Adjustments to the compensation for a position with no change in evaluation points shall not exceed the maximum or fall below the minimum amount set by the director of personnel for the management band. After the initial transition evaluation, salary adjustments initiated by the agency, other than for promotion or demotion, will not normally exceed a total of ten percent for a single fiscal year. Excluded from the ten percent limit on salary increases are annual periodic increments, legislatively approved increases, movement of a position to the minimum of the band, initial transition evaluation adjustments, and promotional increases. Requests for exception may be granted only by the director of personnel. Salary adjustments may be made under the following conditions:

- (a) Legislatively directed general and/or special increase;
- (b) Documented recruitment and/or retention problems as approved by the agency director or designee;
- (c) Documented agency and/or state internal salary relationship problems, as approved by the agency director or designee; or
- (d) Progression adjustments may be granted in recognition of the employee's demonstrated growth and development following initial transition, hire, transfer, or a promotion by up to five percent annually, for a maximum total of twenty percent.

(2) Voluntary movement in or to a position of lower evaluation points may result in a salary decrease which exceeds ten percent but does not fall below the minimum amount of the band.

(3) A promotion is the assignment of additional responsibilities which results in a higher salary standard and/or higher evaluation points for the same position, or movement to a different position that has a higher salary standard and/or higher evaluation points. Promotional increases may exceed ten percent.

(4) A disciplinary demotion for cause is the assignment of responsibilities which results in a lower salary standard and/or lower evaluation points for the same position, or movement to a different position that has a lower salary standard and/or lower evaluation points. The resulting salary decrease may exceed ten percent and must be in conformance with the provisions of the Fair Labor Standards Act.

(5) Involuntary downward movement based on a nondisciplinary reassignment of duties that results in a lower salary standard and/or lower evaluation points for an employee's present position shall not cause a decrease in the employee's current salary. The employee's current salary will be retained until such time as it is exceeded by the Washington management service salary structure or the employee leaves the position.

(6) An agency may provide a lump sum recognition payment within guidelines established by the department of personnel in recognition of documented exceptional work

and performance results. Such compensation shall not become a permanent salary increase but is considered to be income for recognizing documented exceptional work and performance results. A payment made as a lump sum for recognition purposes shall be included within the ten percent annual adjustment limitation in the fiscal year in which it is paid.

(7) Salary changes greater than five percent proposed for any group of employees shall require review and approval by the director of personnel.

[Statutory Authority: RCW 41.06.500. 97-17-041, § 356-56-115, filed 8/14/97, effective 9/15/97; 96-12-004, § 356-56-115, filed 5/23/96, effective 6/6/96; 95-19-056, § 356-56-115, filed 9/15/95, effective 10/16/95. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.500. 94-12-055, § 356-56-115, filed 5/27/94, effective 7/1/94; 94-09-012, § 356-56-115, filed 4/12/94, effective 5/14/94; 94-01-126, § 356-56-115, filed 12/17/93, effective 1/18/94.]

WAC 356-56-205 Movement within Washington management service. (1) There is no required promotional preference when recruiting and selecting for Washington management service positions. However, an agency may determine, on an individual position basis, if it is in the organization's best interest to limit the candidate pool to those eligible for agency or service-wide promotion.

(2) A transfer is the movement of an employee from one position to a different position or movement of a position from one section, department, or geographical location to another at the same salary standard and/or same evaluation points.

(a) An employee and the affected agency or agencies may agree to a transfer within Washington management service, within an agency, or between agencies.

(b) An agency or agencies may transfer an employee or a position with an incumbent to meet client or organizational needs if the new location is within a reasonable commute as defined by the agency.

(c) An agency may transfer a position at any time. However, if the transfer results in an unreasonable commute for the incumbent, and the incumbent does not agree to transfer with the position, the rules on reduction in force as provided in WAC 356-56-550 shall apply.

[Statutory Authority: RCW 41.06.500. 97-17-041, § 356-56-205, filed 8/14/97, effective 9/15/97. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.500. 94-12-055, § 356-56-205, filed 5/27/94, effective 7/1/94; 94-01-126, § 356-56-205, filed 12/17/93, effective 1/18/94.]

WAC 356-56-550 Reduction in force—Agency procedure—Bump options. (1) Washington management service employees may be separated due to reduction in force in accordance with the statutes and the agency's reduction in force procedures after at least fifteen calendar days' notice in writing, without prejudice, because of lack of funds or curtailment of work, or good faith reorganization for efficiency purposes, ineligibility to continue in a position which has been reallocated to the Washington general service, or when there are fewer positions than there are employees entitled to such positions either by statute or within other provisions of these rules.

(2) When exempt employees have statutory rights to return to the Washington management service, such employees first shall be returned to the position selected. If such

return causes the total number of employees to exceed the total number of positions to be filled, the least senior person in the position shall have the reduction in force rights prescribed in this section.

(3) Each agency shall develop a reduction in force procedure that is consistent with the following:

(a) For purposes of reduction in force, seniority shall be determined by the definition in WAC 356-05-390. Ties in seniority will be broken by first measuring the employees last continuous time within their current position; if the tie still exists, by measuring the employees last continuous time in their current agency; and if the tie still exists, by lot.

(b) Layoff units will be clearly defined, either geographically or by administrative units or both, so as to limit the disruption of an agency's total operation; but not to unduly restrict the options available to employees with greater seniority. The definition of layoff units may be a series of progressively larger units within an agency when a valid option in lieu of separation cannot be offered to respective employees within a smaller unit.

(c) Options in lieu of separation by reduction in force may be offered by an agency only when such options are in accordance with the agency's reduction in force procedure.

(d) Appointment to vacancies and "bumping" shall occur in accordance with the following:

(i) Appointing authorities will seek within the agency a funded vacant Washington management service position for which the employee has the required job skills, and that is at the same salary standard and/or same evaluation points. If no funded vacancies exist, then the appointing authority shall seek a funded position within the agency at the same or lower salary standard and/or at the same or lower evaluation points for which the separated employee has greater seniority, applicable personal work history, and the required job skills. The appointing authority will first look within the current management band for equivalent funded positions at the same salary standard and/or the same evaluation points, and if none are found, then progressively to positions with a lower salary standard and/or lower evaluation points. The appointing authority may consider vacant positions within the agency at higher evaluation points.

(ii) Appointing authorities will consider appropriate Washington general service positions within the agency in the same occupational field with the same or similar salary for which the employee is qualified and has held permanent status, prior to considering appropriate Washington management service positions within the agency which have a lower salary standard and/or lower evaluation points and salary.

(iii) Permanent Washington management service employees who have no options for the same or similar positions in the Washington management service, and who have held permanent status in the Washington general service, will be afforded reduction in force rights as provided in chapter 356-30 WAC.

(e) The right to actually "bump" shall be exercised only after the employee to be "bumped" has received at least fifteen calendar days' notice of the scheduled action.

(f) Options of full-time positions will be offered first to full-time employees before part-time positions are offered. For the purpose of these offers, employees who previously accepted part-time positions due to a reduction in force

action or to lessen the impact of a reduction in force shall be considered full-time employees.

(g) Seniority for part-time employees will be computed using the same percentage the part-time schedule bears to a full-time schedule. When part-time employees become full-time employees, their payroll hours will be integrated on a comparable time basis as full-time employees.

(h) No permanent employee shall be separated through reduction in force without being offered acting positions for which the agency determines the employee is qualified.

(i) The salary of an employee who accepts a position with lower evaluation points shall be determined by the agency:

[Statutory Authority: RCW 41.06.500. 97-17-041, § 356-56-550, filed 8/14/97, effective 9/15/97. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.500. 94-12-055, § 356-56-550, filed 5/27/94, effective 7/1/94; 94-01-126, § 356-56-550, filed 12/17/93, effective 1/18/94.]

Title 359 WAC PERSONNEL RESOURCES BOARD

Chapters

- 359-07** Public records.
- 359-09** Affirmative action.
- 359-39** Human resources training and development.
- 359-48** State internship program.

Chapter 359-07 WAC PUBLIC RECORDS (Effective January 1, 2000)

WAC

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

WAC 359-07-010 Purpose. (Effective January 1, 2000.) 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: 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.]