

WAC 357-46-035 What option for placement in a position does a permanent employee have when the employee is scheduled for layoff?

(1) The employer will identify a position, if available, within the layoff unit for a permanent employee who is scheduled for layoff when the following criteria are met:

(a) The position is comparable to the employee's current position as defined by the employer's layoff procedure;

(b) For revised or abolished job classes, the employer must identify the closest matching class in accordance with WAC 357-46-037;

(c) The employee satisfies the competencies and other position requirements; and

(d) The position is funded and vacant, or if no vacant funded position is available, the position is occupied by the employee with the lowest employment retention rating.

(2) The employer will consider positions in the following order:

(a) The position is allocated to the class in which the employee holds permanent status at the time of the layoff. If no option to a position in the current class is available, the employee's option is to a position in a class in which the employee has held permanent status that has the same salary range maximum.

(b) If the employee does not have an option to take a position that has the same salary range maximum, the employee must be given an opportunity to take a position in a lower class in a class series in which the employee has held permanent status, in descending salary order. The employee does not have to have held permanent status in a lower class of the series in order to be offered the option to take a position in the class.

[Statutory Authority: Chapter 41.06 RCW and RCW 41.06.133. WSR 20-06-011, § 357-46-035, filed 2/20/20, effective 5/1/20. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. WSR 19-11-134, § 357-46-035, filed 5/22/19, effective 7/1/19. Statutory Authority: Chapter 41.06 RCW. WSR 10-11-068, § 357-46-035, filed 5/14/10, effective 6/15/10; WSR 09-17-064, § 357-46-035, filed 8/13/09, effective 9/16/09; WSR 09-11-063, § 357-46-035, filed 5/14/09, effective 6/16/09; WSR 04-18-114, § 357-46-035, filed 9/1/04, effective 7/1/05.]