

WSR 23-19-019  
PERMANENT RULES  
OFFICE OF  
FINANCIAL MANAGEMENT

[Filed September 8, 2023, 3:12 p.m., effective December 31, 2023]

Effective Date of Rule: December 31, 2023.

Purpose: The repeal of WAC 357-28-245 is to allow general government employers the flexibility to manage overtime eligibility rather than require approval from the director of the office of financial management. The amendment to WAC 357-58-160 is to remove the reference to WAC 357-28-245 due to the repeal of WAC 357-28-245. General government employers will no longer be required to request director approval when a nonrepresented employee's position is changed from overtime eligible to overtime exempt.

Citation of Rules Affected by this Order: Repealing WAC 357-28-245; and amending WAC 357-58-160.

Statutory Authority for Adoption: RCW 41.06.133.

Adopted under notice filed as WSR 23-12-084 on June 6, 2023.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 1.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 1.

Date Adopted: September 8, 2023.

Nathan Sherrard  
Assistant Legal Affairs Counsel

AMENDATORY SECTION (Amending WSR 05-12-069, filed 5/27/05, effective 7/1/05)

**WAC 357-58-160 How are hours of work established for WMS employees?** Agencies must assign each WMS position to one of the overtime eligibility designations identified in the compensation plan and determine the position's work week.

For overtime eligible employees, compensation must be in accordance with the following sections of chapter 357-28 WAC:

((~~WAC 357-28-245~~))

- WAC 357-28-250
- WAC 357-28-255
- WAC 357-28-260
- WAC 357-28-265
- WAC 357-28-275
- WAC 357-28-280
- WAC 357-28-285

[Statutory Authority: Chapter 41.06 RCW. WSR 05-12-069, § 357-58-160, filed 5/27/05, effective 7/1/05.]

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 357-28-245	Is approval required when a general government employer changes a position's overtime eligibility designation?
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