

**WSR 24-18-071**  
**PERMANENT RULES**  
**OFFICE OF**  
**FINANCIAL MANAGEMENT**

[Filed August 29, 2024, 10:46 a.m., effective October 1, 2024]

Effective Date of Rule: October 1, 2024.

Purpose: To align the civil service rules (Title 357 WAC) with the requirements in SSB 6157, chapter 330, Laws of 2024. SSB 6157 passed during the 2024 legislative session with an effective date of June 6, 2024. This bill intends to reform civil service by incorporating civil service advantage for bilingual and multilingual applicants, applicants with prior work experience in social services, and applicants with higher education. Section 1 adds a new section to chapter 41.04 RCW, codified as RCW 41.04.012, to state that in all competitive examinations to determine the qualifications of applicants, the agency head within a hiring organization has the discretion to add a maximum of 15 percent to the passing mark, grade, or rating only in accordance with outlined criteria. Preference points may not be aggregated to exceed more than 15 percent of an applicant's examination score; shall be added to the passing mark, grade, or rating of competitive examinations until the candidate's first appointment; and may not be used in promotional examinations. The bill also defines "full professional fluency" and "native speaker." New WAC 357-16-113 addresses when an agency head or higher education institution president may consider granting preference to eligible applicants in the hiring process. The amendment to WAC 357-16-125 requires an employer's certification procedure to address when the employer will consider granting preference to eligible applicants under the provisions of WAC 357-16-113. New WAC 357-58-197 addresses when may an agency head consider granting preference to eligible Washington management service applicants in the hiring process.

Citation of Rules Affected by this Order: New WAC 357-16-113 and 357-58-197; and amending WAC 357-16-125.

Statutory Authority for Adoption: RCW 41.06.150.

Other Authority: RCW 41.04.012.

Adopted under notice filed as WSR 24-14-103 on July 1, 2024.

Changes Other than Editing from Proposed to Adopted Version: Amendments to WAC 357-16-113 and 357-58-197 to include updated RCW references from "chapter 41.04 RCW" and "section 1, chapter 330, Laws of 2024" to "RCW 41.04.012."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 2, Amended 1, Repealed 0.

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 2, Amended 1, Repealed 0.

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 2, Amended 1, Repealed 0.

Date Adopted: August 29, 2024.

Nathan Sherrard  
Legal Affairs Counsel

OTS-5417.3

NEW SECTION

**WAC 357-16-113 When may an agency head or higher education institution president consider granting preference to eligible applicants in the hiring process?** (1) An agency head or higher education institution president may consider granting preference to eligible applicants in the hiring process if administering an examination prior to certification for any of the following qualifications in accordance with RCW 41.04.012:

(a) Ten percent to an applicant who has obtained full professional proficiency or who is completely fluent as a native speaker in two or more languages other than English;

(b) Five percent to an applicant who has obtained full professional proficiency or who is completely fluent as a native speaker in one language other than English;

(c) Five percent to an applicant with two or more years of professional experience or volunteer experience in the Peace Corps, AmeriCorps, domestic violence counseling, mental or behavioral health care, homelessness programs, or other social services professions; and

(d) Five percent to an applicant who has obtained an associate of arts or science degree or higher degree.

(2) The preference granted under this section may not be aggregated to exceed more than 15 percent of the applicant's examination score, shall be added to the passing mark, grade, or rating of competitive examinations until the applicant's first appointment, and may not be used in promotional examinations.

(3) For purposes of this section "full professional fluency" and "native speaker" have the same meaning as in RCW 41.04.012.

AMENDATORY SECTION (Amending WSR 05-01-200, filed 12/21/04, effective 7/1/05)

**WAC 357-16-125 What must be specified in the employer's certification procedure?** The employer's certification procedure must:

(1) Specify how the employer determines the pool of eligible candidates to be certified to the employing official in accordance with WAC 357-16-130;

(2) Specify how the employer determines the number of names certified if the number of eligible candidates certified to the employing official is limited;

(3) Provide for veterans' preference in accordance with WAC 357-16-110;

(4) Provide for supplemental certification of affected group members in accordance with WAC 357-16-135;

(5) Require that employing officials consider all eligible candidates certified;

(6) Provide for optional consideration of employees who have completed employer-approved training programs and are determined by the employer to meet the competencies and other position requirements;

(7) For general government employers, must provide for consideration of transition pool candidates when a certified pool contains eligible candidates other than candidates from the employer's internal or

statewide layoff list or the employer's internal promotional eligibles; ((and))

(8) Address when the employer will certify qualified individuals seeking reemployment under the provisions of WAC 357-19-470; and

(9) Address when the employer will consider granting preference to eligible applicants under the provisions of WAC 357-16-113.

### OTS-5418.3

#### NEW SECTION

**WAC 357-58-197 When may an agency head consider granting preference to eligible WMS applicants in the hiring process?** (1) An agency head may consider granting preference to eligible WMS applicants in the hiring process if administering an examination prior to certification for any of the following qualifications in accordance with RCW 41.04.012:

(a) Ten percent to an applicant who has obtained full professional proficiency or who is completely fluent as a native speaker in two or more languages other than English;

(b) Five percent to an applicant who has obtained full professional proficiency or who is completely fluent as a native speaker in one language other than English;

(c) Five percent to an applicant with two or more years of professional experience or volunteer experience in the Peace Corps, AmeriCorps, domestic violence counseling, mental or behavioral health care, homelessness programs, or other social services professions; and

(d) Five percent to an applicant who has obtained an associate of arts or science degree or higher degree.

(2) The preference granted under this section may not be aggregated to exceed more than 15 percent of the applicant's examination score, shall be added to the passing mark, grade, or rating of competitive examinations until the applicant's first appointment, and may not be used in promotional examinations.

(3) For purposes of this subsection "full professional fluency" and "native speaker" have the same meaning as in RCW 41.04.012.