



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Office of Financial Management

Permanent Rule Only

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) June 20, 2016 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose:

These amendments are a result of OFM State Human Resources going through the Lean process to review the director's review request process. Chapter 357-49 WAC provides employees the opportunity to request a review by the State Human Resources Director for certain actions taken by the employer. These rules describe what actions an individual can request a review of, the process for filing a request for a review, the process used to conduct a review and the rights of an employee to appeal to the Washington Personnel Resources Board.

Because individuals no longer request a director's review of their examination results through the director's office, we are proposing removing the language currently found in WAC 357-49-010(1). These reviews are now performed by the hiring agency. As a result, we removed references to the director's office in Chapter 357-16 WAC.

Citation of existing rules affected by this order:

Repealed: 357-49-017, 357-49-019, 357-49-020, 357-49-025, 357-49-027

Amended: 357-16-155, 357-16-160, 357-16-170, 357-16-175, 357-49-010, 357-49-015, 357-49-018, 357-49-022, 357-49-023, 357-49-035

Suspended:

Statutory authority for adoption: Chapter 41.06 RCW

Other authority :

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 16-02-098 on 01/05/16.

Describe any changes other than editing from proposed to adopted version:

Three WACs were changed on OTS 7143.6 to address comments that we received from stakeholders. WAC 357-49-0158 was confusing as written; it was changed to clarify that the requestor may submit additional documents provided they are not duplicates. WAC 357-49-018 was changed to correct an incorrect reference to a WAC that is being repealed. WAC 357-49-022 was changed to remove the requestor must prove that the employer's determination should be reconsidered.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

Date adopted: May 13, 2016

NAME (TYPE OR PRINT)

Roselyn Marcus

SIGNATURE

Roselyn Marcus

TITLE

Assistant Director for Legal & Legislative Affairs
Office of Financial Management

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 13, 2016

TIME: 12:25 PM

WSR 16-11-058

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	<u>9</u>	Amended	<u>10</u>	Repealed	<u>5</u>

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>9</u>	Amended	<u>10</u>	Repealed	<u>5</u>
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	<u>9</u>	Amended	<u>10</u>	Repealed	<u>5</u>