



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 11, 2020

TIME: 8:43 AM

WSR 20-07-051

Agency: Office of Financial Management (OFM)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify)

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

- Yes
 - No
- If Yes, explain:

Purpose: Sate employees who are not required to work during suspended operations due to novel coronavirus disease 2019 (COVID-19) will not receive any loss of pay; to require an employer to grant leave with pay (LWP) when an employee is required by Centers of Disease Control and Prevention (CDC) guidelines to self-quarantine due to COVID-19 but is otherwise healthy and has not tested positive for COVID-19 and the employer has determined the employee does not have the option to telework; to allow a higher education employer to grant LWP when an employee is required by CDC guidelines to self-quarantine due to COVID-19 but is otherwise healthy and has not tested positive for COVID-19 and the employer has determined the employee does not have the option to telework; to require an employer to grant leave without pay (LWOP) when an employee requests to be on LWOP due to COVID-19 to protect themselves, a family member or a household member; to state that a general government employee's anniversary date, unbroken service date, periodic increment date (PID) and seniority date will not be impacted by taking LWOP due to COVID-19; and to state that a higher education employee's PID and seniority date will not be impacted by taking LWOP due to COVID-19.

Citation of rules affected by this order:

New:

Repealed:

Amended: 357-31-265, 357-31-325, 357-31-326, 357-31-327, 357-31-345, 357-31-346, 357-31-347, 357-46-055

Suspended:

Statutory authority for adoption: Chapter 41.06 RCW

Other authority:

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: To align Title 357 WAC with Governor Jay Inslee's Proclamation 20-05 issued February 29, 2020, which declares a State of Emergency in all counties in the state of Washington as a result of the outbreak of COVID-19. The Governor further declared that State agencies and departments are directed to use state resources and to do everything reasonably possible to assist affected political subdivisions in an effort to respond to and recover from the outbreak. The worldwide outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout the United States and Washington State significantly impacts the life and health of our people, as well as the economy of Washington State, and is a public disaster that affects life, health, property or the public peace.

**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	___	Amended	8	Repealed	___

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

New	___	Amended	___	Repealed	___
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The number of sections adopted on 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	___	Amended	___	Repealed	___
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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	___	Amended	8	Repealed	___

Date Adopted: March 11, 2020

Name: Roselyn Marcus

Title: Assistant Director of Legal and Legislative Affairs
Office of Financial Management

Signature:

