



STATE OF WASHINGTON

OFFICE OF FINANCIAL MANAGEMENT

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June 2, 2020

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 02, 2020

TIME: 7:58 AM

WSR 20-12-082

TO: Kathleen Buchli, Code Reviser
Office of the Code Reviser

FROM: Roselyn Marcus
Assistant Director of Legal and Legislative Affairs
Office of Financial Management

SUBJECT: Request to Rescind Emergency Rule Making WSR 20-07-051

The Office of Financial Management requests to rescind three emergency rules filed on OTS 2120.1 and one emergency rule filed on OTS 2118.1, WSR 20-07-051 on March 11, 2020. The purpose of OFMs request to rescind WAC 357-31-345, WAC 357-31-346, WAC 357-31-347 and WAC 357-46-055 is as follows:

WAC 357-31-345, How does leave without pay affect a general government employee's anniversary date, unbroken service date, periodic increment date, and seniority date?

This emergency rule was written to state a general government employee's anniversary date, unbroken service date, periodic increment date and seniority date is not adjusted for any leave without pay which exceeds fifteen consecutive calendar days when the leave is taken for novel coronavirus disease 2019 (COVID-19) in accordance with WAC 357-31-327. The emergency amendment to WAC 357-31-327 was rescinded on March 25, 2020 therefore the reference to "in accordance with WAC 357-31-327" should have been also removed from WAC 357-31-345. A new emergency rule will be filed to amend WAC 357-31-345 to remove the reference to WAC 357-31-327.

WAC 357-31-346, Does leave without pay affect a higher education employee's periodic increment?

This emergency rule was written to state a higher education employee's periodic increment date will not be moved forward by one month when the leave without pay exceeds ten working days in a month when the leave without pay is taken for novel coronavirus disease 2019 (COVID-19) in accordance with WAC 357-31-327. The emergency amendment to WAC 357-31-327 was rescinded on March 25, 2020 therefore the reference to "in accordance with WAC 357-31-327" should have been also removed from WAC 357-31-346. A new emergency rule will be filed to amend WAC 357-31-346 to remove the reference to WAC 357-31-327.

WAC 357-31-347 Does leave without pay affect a higher education employee's seniority date? This emergency rule was written to state a higher education employee's seniority date will not be adjusted when leave without pay is taken due to the novel coronavirus 2019 (COVID-19) in accordance with WAC 357-31-327. The emergency amendment to WAC 357-31-327 was rescinded on March 25, 2020 therefore the reference to "in accordance with WAC 357-31-327" should have been also removed from WAC 357-31-345. A new emergency rule will be filed to amend WAC 357-31-347 to remove the reference to WAC 357-31-327.

WAC 357-31-46-055 How is a general government employee's seniority date determined? This emergency rule was written to state a general government seniority date is not adjusted for leave without pay when the leave is taken for novel coronavirus disease 2019 (COVID-19) in accordance with WAC 357-31-327. The emergency amendment to WAC 357-31-327 was rescinded on March 25, 2020 therefore the reference to "in accordance with WAC 357-31-327" should have been also removed from WAC 357-46-0555. A new emergency rule will be filed to amend WAC 357-46-055 to remove the reference to WAC 357-31-327.

Should you have any questions regarding this matter, please contact Brandy Chinn (360) 407-4141.