



# 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 25, 2020

TIME: 1:28 PM

WSR 20-08-052

**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:** To extend the deadline for an employee to request a director's review; to provide that the time an employee is not required to work or time an employee is on leave without pay due to coronavirus disease 2019 (COVID-19) will be considered time in pay status for holiday compensation, sick leave, vacation leave, and rate of accrual; to provide that general government employees not required to work during suspended operations due to COVID-19 will not receive any loss of pay; and to allow an employer to grant leave without pay for an employee to protect themselves, or a relative or household member, from risks related to COVID-19.

**Citation of rules affected by this order:**

- New:
- Repealed:
- Amended: 357-13-080, 357-31-010, 357-31-020, 357-31-025, 357-31-115, 357-31-120, 357-31-121, 357-31-125, 357-31-170, 357-31-175, 357-31-180, 357-31-265, 357-31-330
- 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 the Title 357 WAC with Governor Jay Inslee's issued proclamation 20-05 which declares a State of Emergency in all counties in the state of Washington as a result of the outbreak of COVID-19, and subsequent proclamations. 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 | 13  | Repealed | ___ |

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

New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_

**The number of sections adopted on the agency's own initiative:**

New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_

**The number of sections adopted using:**

|                                |     |      |         |      |          |      |
|--------------------------------|-----|------|---------|------|----------|------|
| Negotiated rule making:        | New | ____ | Amended | ____ | Repealed | ____ |
| Pilot rule making:             | New | ____ | Amended | ____ | Repealed | ____ |
| Other alternative rule making: | New | ____ | Amended | 13   | Repealed | ____ |

**Date Adopted:** March 25, 2020

**Name:** Roselyn Marcus

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

**Signature:**

