



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: June 02, 2020

TIME: 7:58 AM

WSR 20-12-081

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 expand the reasons for which an employee may use accrued sick leave due to the novel coronavirus disease 2019 (COVID-19); to allow an employee to request a statement of necessity to preserve leave acquired over two hundred forty hours between February 29, 2020 and the filing of the statement of necessity until the expiration of Proclamation 20-05 or any amendment thereto; housekeeping changes to WACs 357-31-345, 357-31-346, 357-31-347 and WAC 357-46-055 to state when leave without pay is taken due to COVID-19 a general government employee's anniversary date, unbroken service date, periodic increment date (PID) and seniority date is not adjusted and a higher education employee's PID and seniority date is not adjusted (these WACs were amended on an emergency basis on March 11, 2020 to reference WAC 357-31-327. The emergency amendment to WAC 357-31-327 was rescinded on March 25, 2020 and the references to these WACs were not removed from these WACs at that time); to allow an employee to request shared leave as a result of COVID-19; and to allow an employer to request written verification to support an employee's request to receive shared leave for COVID-19 reasons.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: 357-31-130, 357-31-215, 357-31-345, 357-31-346, 357-31-347, 357-31-390, 357-31-405, WAC 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 Inslee's issued proclamation 20-05 that 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: June 2, 2020

Name: Roselyn Marcus

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

Signature:

