

**WAC 357-28-135 How is an employee's salary determined when the employee is appointed to a position due to a layoff action?** (1) The base salary of an employee who accepts a layoff option must have their salary determined as follows:

(a) An employee who accepts a layoff option to a different position with the same salary range keeps the same base salary.

(b) An employee who accepts a layoff option to a position with a lower salary range maximum must be placed within the new range at a salary equal to the employee's previous base salary. If the previous base salary exceeds the new range, the employee's base salary must be set equal to step M of the new salary range.

(2) The base salary of an employee who is appointed from an internal or statewide layoff list must have their salary determined as follows:

(a) An employee who is appointed to a position with the same range as the position from which the employee was laid off must be placed within the range at a salary equal to the employee's previous base salary.

(b) An employee who is appointed to a position with a lower range maximum than the position from which the employee was laid off must have the salary determined by the employer's salary determination policy.

(3) An employee whose previous base salary was at step M of a salary range when accepting a layoff option to a position with a lower salary range maximum at the time of being appointed must be placed at step M of the new salary range.

(4) An employee whose previous base salary was at step L of a salary range when accepting a layoff option to a position with a lower salary range, any previous time spent at step L will count towards the requirement to get to step M of the new salary range.

[Statutory Authority: RCW 41.06.133 and 41.06.150. WSR 23-24-022, § 357-28-135, filed 11/28/23, effective 1/1/24. Statutory Authority: Chapter 41.06 RCW. WSR 14-24-026, § 357-28-135, filed 11/21/14, effective 12/22/14; WSR 13-19-043, § 357-28-135, filed 9/13/13, effective 10/18/13; WSR 05-01-205, § 357-28-135, filed 12/21/04, effective 7/1/05.]