

**WAC 292-110-020 Working hours.** (1) Nothing in RCW 42.52.180(1) or this rule prohibits a state officer or state employee from assisting in a campaign during nonworking hours provided that the state officer or state employee who engages in activity that would fall under RCW 42.52.180(1) during nonworking hours does not use any facilities of an agency.

(2) Some state officers and state employees occupy positions that have fixed schedules with the same beginning and ending times. For state officers and state employees with fixed schedules, working hours are the hours between the starting and ending times of their scheduled working hours. State officers and state employees with fixed schedules may not engage in activity that would fall under RCW 42.52.180(1) during these fixed working hours, unless on a lunch break under subsection (5) of this rule or on leave under subsection (6) of this rule.

(3) Some state officers and state employees occupy positions that do not have fixed schedules with the same starting and ending times. For state officers and state employees who do not have fixed schedules, working hours are defined as:

(a) The hours set forth in any policy on working hours adopted by their agency; or

(b) If the agency has not adopted a working hours policy, 8:00 a.m. to 5:00 p.m. Monday through Friday; or

(c) The work schedule for the state officer or state employee approved by the agency.

(4) Working hours do not include state legal holidays unless the state officer's or state employee's work schedule requires the state officer or state employee to work on a state legal holiday.

(5) Working hours do not include the time designated for a state officer's or state employee's lunch break. A lunch break is between 12:00 p.m. and 1:00 p.m., unless the agency has designated a different time in a working hours policy or has approved a different lunch break as part of the state officer's or state employee's work schedule. If a state officer or state employee engages in activity that would fall under RCW 42.52.180(1) during the lunch break, the state officer or state employee may not make use of any of the facilities of the agency.

(6) Working hours do not include the time in official leave status. If a state officer or state employee engages in activity that would fall under RCW 42.52.180(1) while on leave, the state officer or state employee may not make use of any of the facilities of the agency.

(7) The definition of working hours also includes any time a state officer or state employee is actually working; for example overtime.

(8) The governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, commissioner of public lands, and the insurance commissioner are elected to office and hold office for a term of four years and until their successors are elected and qualified. Since these officers are elected to a term of office, they do not have working hours and may engage in activity that would fall under RCW 42.52.180(1) at any time. However, if these officers engage in activity that would fall under RCW 42.52.180(1), they may not make use of any facilities of an agency except as provided in RCW 42.52.180(2).

[Statutory Authority: RCW 42.52.360. WSR 23-17-038, § 292-110-020, filed 8/9/23, effective 9/9/23; WSR 18-11-062, § 292-110-020, filed

5/14/18, effective 6/14/18. Statutory Authority: RCW 42.52.180(1) and 42.52.360 (2)(b). WSR 96-22-030, § 292-110-020, filed 10/30/96, effective 11/30/96.]