

**WAC 357-46-080 Which employees are eligible to have their name placed on an employer's statewide layoff list?** (1) Permanent employees who satisfy the following criteria must have their name placed on the statewide layoff list for other employers if the employee exercises this option within the two-year eligibility period:

(a) Laid off or notified in writing by the employer they are scheduled to be laid off;

(b) Accepted a voluntary demotion in lieu of layoff; or

(c) Accepted less-than-comparable positions at the time of layoff.

For purposes of this subsection "employees" includes Washington management service (WMS) employees who have held permanent status in Washington general service.

(2) All employees who meet the criteria in subsection (1) of this section are eligible to be on the statewide layoff list for classes in which they held permanent status at the same or lower salary range and lower classes in the same class series. Permanent status is not required in the lower classes in the same class series. General government employees have statewide layoff list rights to classes in which they held permanent status which are at a higher salary range and lower classes in the same class series. Higher education employees do not have access to the statewide layoff list for higher level classes unless the employer's layoff procedure allows.

(3) WMS employees only have layoff list rights to classes in which the highest step of the salary range is equal to or below the WMS salary at the time of layoff or notification of layoff, or at the time of demotion.

(4) General government employees have layoff list rights to all classifications the employee has held permanent status in regardless of any breaks in state service.

(5) Higher education employers must address in their layoff procedure whether or not employees will be given layoff list rights to classes they held permanent status in prior to any breaks in state service.

(6) Employees who have been demoted for cause from a class are **not** eligible to be on the statewide layoff list for that class.

[Statutory Authority: Chapter 41.06 RCW. WSR 10-11-068, § 357-46-080, filed 5/14/10, effective 6/15/10; WSR 09-17-063, § 357-46-080, filed 8/13/09, effective 9/16/09; WSR 09-11-063, § 357-46-080, filed 5/14/09, effective 6/16/09; WSR 04-18-114, § 357-46-080, filed 9/1/04, effective 7/1/05.]