

**WAC 415-112-477 Are payments for reinstatement or payment instead of reinstatement earnable compensation?** (1) When you receive payments upon reinstatement or instead of reinstatement, such payments are earnable compensation to the extent they are equivalent to the salary you would have earned by working in your position. RCW 41.32.010 defines these payments as earnable compensation even though they are not payments for services you provided to your employer. The payment will be prorated over the entire period that you were suspended, terminated, or otherwise absent from work.

(2) For purposes of subsection (1) of this section, "reinstatement" means that the employee is entitled to return to full employment rights by action of:

- (a) The employer;
- (b) A school district; or
- (c) A court of law.

[Statutory Authority: RCW 41.50.050(5) and 41.32.010(10). WSR 05-12-108, § 415-112-477, filed 5/27/05, effective 6/27/05. Statutory Authority: RCW 41.50.050. WSR 00-10-015, § 415-112-477, filed 4/21/00, effective 5/22/00; WSR 97-03-016, § 415-112-477, filed 1/6/97, effective 2/6/97.]