

Administrative Policy No. 18.46

Subject: Layoff and Separation

Information Contact: Human Resources Division

Authorizing Source: [Chapter 41.06 RCW State Civil Service Law](#)
[Chapter 357-16 WAC Recruitment, Assessment, and Certification](#)
[Chapter 357-46 WAC Layoff and Separation](#)
[Chapter 357-52 WAC Appeals](#)

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Purpose

To identify the requirements and processes used when layoffs are implemented in the Department of Social and Health Services (DSHS) and when an employee separates from the agency.

Scope

This policy applies to all DSHS employees in Washington general service **not** covered by a collective bargaining agreement ([CBA](#)), and **excludes** employees in Washington management services (WMS).

Additional Guidance

[DSHS administrative policy 18.19 appointments and reemployment](#)
[DSHS administrative policy 18.26 disability related reasonable accommodation](#)
[DSHS administrative policy 18.63 employee background check requirements](#)
[Collective bargaining agreements](#)

Definitions

Appointing authority: An individual lawfully authorized to appoint, transfer, layoff, reduce, dismiss, suspend, or demote employees. ([WAC 357-01-025](#))

Bumping rights: An employee's right to displace another employee in their job when the first employee's position is eliminated.

Break in service: An employee has a break in continuous state service if the employee is separated, dismissed, or resigns from state service. A furlough (see definition below) for the purpose of temporary layoff under [WAC 357-46-063](#) is not considered a break in continuous state service.

Disability separation: An action separating an employee from service when it is determined the employee is unable to perform the essential functions of the position or class, with or without reasonable accommodation, due to mental, sensory, or physical incapacity. It is not a disciplinary action. [WAC 357-46-160](#)

Essential functions: The fundamental, crucial job duties performed in a position. They do not include marginal functions, which are extra or incidental duties.

Furlough: A mandatory, temporary pause in work due to special circumstances (usually economic) where employees retain their positions, but do not get paid.

General government transition pool (GGTP): A list available to general government employees who have been laid off or are at risk of layoff. Names on the GGTP can be referred to for positions when the individuals meet broad-based knowledge and skill requirements.

Knowledge, skills, and abilities: Knowledge refers to the body of factual or procedural information that can be applied to perform a job function. Skills are the capabilities required to perform tasks accurately. Ability is competence to perform an observable behavior or behavior that results in a product.

Layoff: An action initiated by the appointing authority or designee resulting in one or more of the following actions:

- Employment in a class with a lower salary range maximum
- Reduction in the work year
- Reduction in the number of work hours
- Employment in a different position in the employee's current class or a different class at the same salary range maximum.
- Separation from service with DSHS

Layoff list: A list of employees who have been laid off or are scheduled for layoff.

Layoff unit: The geographical area or administrative/organizational unit used for determining available options for employees subject to layoff. Within DSHS, the primary layoff unit is the **county** in which an employee's workstation is located. If no option is available within the

county layoff unit, the layoff unit expands to the **region**. If no option is available within the region layoff unit, the layoff unit expands to DSHS **statewide**.

Reversion: Voluntary or involuntary movement of an employee during the trial service period resulting in placement in a position or on the employer's internal layoff list in accordance with WAC [357-19-115](#) and [117](#).

Seniority: The length of time the employee has worked for a state agency or higher education without a break in service. Part-time and on-call employees' seniority dates are based on the total hours worked. Both full-time and part-time employees' seniority dates will be adjusted for any periods of leave without pay in excess of 15 consecutive calendar days, per [WAC 357-46-055](#).

Statewide layoff list: Permanent employees who satisfy the criteria under [WAC 357-46-080](#) 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.

Temporary layoff: A temporary separation from service or a temporary reduction in an employee's regular work schedule DSHS may accomplish a temporary layoff by reducing the number of hours an employee is scheduled to work or furloughing the employee.

Transition review period: The six-month evaluation period that allows the supervisor/manager and employee to determine whether a placement into a position as a layoff option or appointment to a position from a layoff list or the general government transition pool is a good match. [WAC 357-01-340](#)

Policy

A. Layoff general provisions ([WAC 357-46-010](#), [WAC 357-46-035](#))

1. DSHS may lay off employees without prejudice to meet business needs. The reasons for layoff include, but are not limited to, one or more of the following ([WAC 357-46-010](#)):
 - a. Lack of funds.
 - b. Lack of work, to include, but not limited to:
 - i. Termination of a project or special employment.
 - ii. Availability of fewer positions than there are employees entitled to such positions.
 - iii. An employee's ineligibility to continue in a position following the position's reallocation to a class with a higher salary range maximum.
 - iv. An employee's ineligibility to continue or choice not to continue in a position following the position's reallocation to a class with a lower salary range maximum.

- v. Elimination of a position due to the work of the position being competitively contracted.
 - vi. An employee's choice not to continue in a position following DSHS's determination to change the position from part-time to full-time or vice versa due to business needs.
 - c. Good faith organizational change.
- 2. DSHS human resources division ([HRD](#)) administers the layoff process for the agency. Appointing authorities or their designees must consult and collaborate with [HRD](#) to implement layoff activities.
- 3. The layoff procedure is available either electronically or in writing to employees who are subject to layoff. Employees may request a paper copy from their [HRD business partner](#).
- 4. If there is a need to reduce staff, DSHS will attempt to avoid or minimize layoffs through transfers, voluntary demotions, voluntary reduction in work schedules, or voluntary leave without pay.
- 5. When identifying positions for elimination, DSHS considers the position function or funding that is being eliminated. When all individuals in the same program, geographic location, classification, and layoff unit perform common work assignments, the position(s) held by the least senior incumbent(s) must be identified for elimination. This may require reassignment of duties among the remaining staff.
- 6. DSHS will not separate employees with permanent status from state service through a layoff action without first offering them positions in their current job classification within their layoff unit and:
 - a. They meet the minimum qualifications, and have the knowledge, skills, and abilities to perform; and
 - b. That are currently held by either non-permanent employees, probationary employees, or both.
- 7. Non-permanent employees will be separated from employment before probationary employees.
- 8. [HRD](#) determines an employee's seniority date per [RCW 41.06.133](#), [WAC 357-46-040, 055](#), and [058](#).
 - a. Work performance is not a factor when determining an employee's seniority date.
 - b. Ties in seniority dates are broken using the following methods in the following sequence:
 - i. The longest continuous time within their current job classification.

- ii. The longest continuous time within DSHS.
 - iii. By lot (random picking).
- 9. DSHS must give employees advance notice of the impending layoff.
 - a. Probationary employees receive at least 1 calendar days' notice under [WAC 357-46-185](#).
 - b. The layoff notice to permanent employees must be in writing and at a minimum include all the following items ([WAC 357-46-030](#)):
 - i. The reason or basis for layoff.
 - ii. The employee's layoff options as determined by [WAC 357-46-035](#), including any requirement for the employee to serve a transition review period.
 - iii. The specific layoff list(s) on which employee is entitled to request to be placed according to [WAC 357-46-070](#) and [WAC 357-46-080](#).
 - iv. Information on how to request placement on the statewide layoff list.
 - v. The date by which the employee must select a layoff option.
 - vi. Information on the employee's right to appeal against the layoff.
 - c. The permanent employee scheduled for layoff must receive a letter identifying their layoff options, if any, with 15 calendar days before the effective date of the layoff, unless HRD and the appointing authority and employee agree to waive the 15 day notice period, in writing ([WAC 357-46-025](#)). The employee must accept or decline their layoff option within 5 calendar days of receiving the written notification, or the layoff will proceed.

B. Project employment layoff

- 1. DSHS employment projects established under [chapter 357-19 WAC](#) are considered layoff units separate from any other defined layoff unit. Project employees have layoff rights within the project.
- 2. A project employee's bumping options are limited to the employment project and eligible funded positions identified in the project.
- 3. A project employee separated from state service through layoff, and who has not held permanent status in classified service, may submit an application to the [GGTP](#).
- 4. A project employee who entered the project through the competitive process and remained in project status for a minimum of 2 years is eligible for placement on the internal layoff list.
- 5. A permanent status employee who left a regular classified position to accept a project employment position without a break in service has layoff rights within the agency in

which they held permanent status within the job classification held immediately prior to accepting project employment.

C. Formal layoff option ([WAC 357-46-035](#), [WAC 357-46-045](#))

1. If a permanent employee is scheduled for layoff, DSHS will identify a position, if available, within the layoff unit for the permanent employee scheduled for layoff when **all** of the following criteria are met: ([WAC 357-46-035](#)).
 - a. The position is comparable to the employee's current position. Comparable positions will be determined considering scope of work, required skills and abilities, and hours of work. Formal and informal options for full-time employees will be in full-time positions only. Formal and informal options for part-time employees will be to part-time positions only.
 - b. The employee meets the minimum qualifications, and has the knowledge, skills, and abilities, and other position requirements; and
 - c. The position is funded and vacant, or if no vacant funded position is available, the position is occupied by the employee with the lowest employment retention rating. [See WAC 357-46-050](#).
2. DSHS will consider positions in the following order:
 - a. The position is allocated to the class in which the employee holds permanent status at the time of the layoff. If no option to a position in the current class is available, the employee's option is to a position in a class in which the employee has held permanent status that has the same salary range maximum.
 - b. If the employee does not have an option to take a position that has the same salary range maximum, the employee is given an opportunity to take a position in a lower class in a class series in which the employee has held permanent status, in descending salary order. The employee is not required to have held permanent status in a lower class of the series to be offered the option to take a position in the class.
3. General government employees have layoff option rights to all classifications with which the employee has held permanent status, regardless of any breaks in state service.
4. If an employee held permanent status in a class that has been revised or abolished, the senior director of HRD or designee will determine the closest matching class to offer as a layoff option. The closest matching class must be at the same or lower salary range as the class from which the employee is being laid off. ([WAC 357-46-037](#))

5. To establish position minimum qualifications, and knowledge, skills and, abilities, and other position requirements, DSHS uses one or more of the following documented criteria ([WAC 357-46-045](#)):
 - a. Licensing or certification requirements.
 - b. [DSHS 03-407](#) Position description form.
 - c. Class specification.
 - d. Information technology professional structure evaluator's handbook.
 - e. The knowledge, skills, and abilities listed on the position's most recent recruitment announcement, or the last announcement used to fill the position.
 - f. Bona fide occupational requirement approved by the Washington Human Rights Commission.
 - g. Additional documented competencies or requirements not reflected in the position description.
6. When more than one employee in the same classification and layoff unit is laid off at the same time, pool layoff options will be used providing options for pool members. Each separate pool member employee will be asked to rank the set of options provided to the pool in their order of preference for acceptance; options will be awarded based on seniority.

D. Informal layoff option

1. An employee may request an informal option through [HRD](#) within 5 calendar days of receipt of the official layoff letter. An informal option is defined as any position that is vacant or held by a probationary or non-permanent employee and that the employee being laid off has never held permanent status in. Additionally, the following criteria apply:
 - a. The appointing authority or designee determines if the employee meets the minimum qualifications and knowledge, skills, and abilities required of the position; and,
 - b. The position is at the same or lower salary range as the position from which the employee being laid off currently holds permanent status.
 - c. The position is vacant or held by a probationary or non-permanent employee.
 - d. The position is comparable or less than comparable to the current classification.
2. A full-time employee may look at full-time and part-time positions as potential informal options. A part-time employee may look at part-time and full-time options as potential informal options. If there is more than one qualifying position available, the employee will be offered the position with the highest maximum salary range. [WAC 357-46-057](#)
3. An employee may not grieve or appeal an award or denial of an informal option.

4. If a permanent employee has no formal option available, HRD must offer them an informal option or a position held by an employee in a non-permanent appointment for which they meet the skills and abilities, **if available**, prior to being separated from employment.

E. Layoff lists

DSHS internal layoff list ([WAC 357-46-070](#), [WAC 357-46-075](#)).

1. An employee that submits a request to HRD list within the 2-year eligibility period ([WAC 357-46-130](#)), will be placed on the DSHS internal layoff list under the following conditions:
 - a. The employee was laid off or had been notified in writing by DSHS that they are scheduled to be laid off and eligible to be on the internal 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 for the lower classes in the class series.
 - b. The employee has accepted a voluntary demotion in lieu of layoff, but only for the class from which they demoted and classes at that salary range and lower salary ranges in which the employee held permanent status and lower classes in the same class series.
 - c. The employee has accepted a less than comparable position, but only for a class 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 for the lower classes in the class series.
 - d. The employee has not successfully completed a trial service period and is placed in a non-permanent position following reversion for a class in which the employee previously held permanent status.
 - e. The employee who remains in a position reallocated to a lower salary range is eligible, but only for the class the employee held permanent status in prior to the reallocation.
2. Employees who have been demoted for cause from a class are not eligible to be on the internal layoff list for that class.
3. An employee will not be placed on the internal layoff list for classes with a higher salary range than the class from which they are being laid off.

Statewide layoff list ([WAC 357-46-080](#))

4. A permanent employee that submits a request to HRD within the 2-year eligibility period under the following conditions:

- a. The employee was laid off or notified in writing by DSHS they are scheduled to be laid off.
 - b. The employee accepted a voluntary demotion in lieu of layoff; or
 - c. The employee accepted a less-than-comparable position at the time of layoff.
5. Employees who meet the criteria in subsection E.4 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.
6. General government employees have layoff list rights to all classifications the employee has held permanent status in regardless of any breaks in state service.
7. Employees who have been demoted for cause from a class are **not** eligible to be on the DSHS internal layoff **or** statewide layoff list for that class.
8. An employee is eligible to be on DSHS's internal and the statewide layoff lists for two years from the effective date of the qualifying action. ([WAC 357-46-130](#))

F. Maintaining layoff lists and name removals ([WAC 357-46-147](#))

1. The department of enterprise services (DES) maintains the statewide layoff lists as well as the DSHS internal layoff list.
2. When a layoff list revision is initiated, HRD, in collaboration with the hiring appointing authority, starts the process to remove an individual's name from the DSHS internal layoff list or statewide layoff list.
 - a. The appointing authority or designee forwards the request to remove a name from a layoff list to [HRD](#) for review and action, if appropriate.
 - b. Per [WAC 357-46-135](#), HRD forwards the request to DES for final action if the individual's name must be removed from the internal or statewide layoff list because the removal is at the request of the individual; or upon an employee's retirement, resignation, expiration of eligibility, or dismissal from DSHS.
3. Per [WAC 357-46-135](#), HRD may forward an individual's name to DES to be removed from either the DSHS internal layoff list, the statewide layoff list, or both for a class when:
 - a. The individual is appointed to a permanent position in the class. The individual may also be removed from the internal and statewide layoff list for any classes with a lower salary range maximum in that class series; or

- b. The individual is appointed to a permanent position in a class with a higher salary range maximum in a different class series; or
 - c. The individual has been certified from the layoff list and waives consideration for a position in the class three times; or
 - d. HRD determines good and sufficient reason exists.
4. Per [WAC 357-46-140](#), HRD must notify an individual whose name has been removed from an internal or statewide layoff list in writing at the time of removal. The notification must:
 - a. Provide the specific reason for the removal; and
 - b. Inform the individual of the right to request a review of the removal.
5. Written notice may be provided using alternative methods such as e-mail, campus mail, the state mail service, or certified mail.
6. Under [WAC 357-46-145](#), requests for review of removal from a layoff list must be made to the state human resources (SHR) when one or more of the following occurs:
 - a. The removal is based on the SHR determination that good and sufficient reason exists.
 - b. DES is responsible for maintaining the layoff list and removed the individual for any reason listed under [WAC 357-46-135](#).
 - c. The individual is not in agreement with the results of the secretary's review of the removal.
7. The request for a review must be received at the secretary's office within 20 calendar days or the SHR within 30 calendar days following notice of the action for which a review is requested.

G. General government transition pool (GGTP) ([WAC 357-46-095](#))

1. The following individuals are eligible to participate in the GGTP program:
 - a. Permanent general government employees separated by layoff or notified by DSHS that they are at risk of layoff.
 - b. Permanent general government employees that are reverted and not returned to a permanent position in the class in which the employee last held permanent status.
 - c. Former permanent classified general government employees that have submitted a written request for reemployment within 2 years of disability separation and who have met the reemployment requirements.
 - d. General government employee business unit members whose contract expired or was terminated.

2. Appointing authorities or their designees must consider GGTP candidates when a certification contains eligible candidates who are not DSHS promotional candidates, or from the DSHS internal or statewide layoff list.
3. GGTP candidates must meet the skills, abilities, and other requirements to be considered for a position.
4. Employees participating in the [GGTP](#) do not have the right of appeal within this program.

H. Transition review period

1. DSHS employees, per [WAC 357-46-110](#), may be required to serve a 6-month transition review period when an employee is appointed to a position as a layoff option or is appointed from the internal or statewide layoff list or the GGTP. The transition period may be extended for leave without pay periods under [WAC 357-31-355](#). See also [DSHS administrative policy 18.19 appointments and reemployment](#).
2. An employee appointed to a position with the same job classification and duties as a position in which the employee held permanent status prior to the layoff will not serve a transition review period. DSHS determines the comparability of the position. [WAC 357-46-115](#).
3. Under [WAC 357-46-120](#), when a transition review period is required:
 - a. The appointing authority or their designee must provide the employee with written notice of the transition review period.
 - b. Written notice may be provided using alternate methods such as e-mail, campus mail, the state mail service, or certified mail.
 - c. DSHS must provide the employee with instruction and training in the duties of the new position.
4. The employee must receive 7 calendar days written notice prior to separation during a transition review period. ([WAC 357-46-125](#).) If the employee commits an egregious act during the last 7 days of the transition review period, the employee may be immediately separated without the 7-calendar day notice.
5. When an employee serving a transition review period following appointment to a position as a layoff option is separated from the position during the transition review period, the following applies:
 - a. If the employee is involuntarily separated; the employee will be provided with a layoff option, if any are available; or
 - b. If the employee voluntarily separates, their name may be placed on any layoff lists for which they are eligible.

6. When an employee is separated from a position during a transition review period following appointment from a layoff list or the [GGTP](#), the employee's name is reinstated on any layoff list from which it was removed at the time of placement in the position.
 - a. The employee remains on the list until the employee's initial eligibility expires or they are rehired.
 - b. The time served during the transition review period does not extend the period of eligibility for a layoff list or the [GGTP](#).
7. Separation during the transition review period is not subject to appeal.

I. Temporary layoff ([WAC 357-46-069](#))

1. Under [WAC 357-46-063](#), DSHS may temporarily layoff an employee by:
 - a. Reducing the number of hours an employee is scheduled to work.
 - b. Furloughing the employee.
2. Under [WAC 357-46-064](#), DSHS may not:
 - a. Furlough an employee for more than sixty calendar days in a calendar year; or
 - b. Temporarily reduce an employee's regular work schedule to less than twenty hours a week for more than sixty calendar days in a calendar year.
 - c. The only exception to these limits is if the temporary layoff is due to the failure of congress to pass a continuing resolution or a federal budget.
3. Under [WAC 357-46-065](#), if DSHS has less than 20 hours per week of work for an employee to perform during a period of temporary layoff, DSHS must notify the employee that they are being furloughed. DSHS may then offer the available work hours to the employee as a nonpermanent appointment under the provisions of [WAC 357-19-360](#) or temporary appointment under the provisions of [WAC 357-19-435](#).
4. DSHS will normally provide an employee with 7 calendar days' notice of temporary layoff. DSHS may provide less than 7 calendar days' notice if urgent budget or operational issues are present. DSHS will make a reasonable effort to provide as much time as possible for temporary layoff notification. [See WAC 357-46-066](#).
5. The temporary layoff notice must inform the employee of their status during the temporary layoff and the expected duration of the temporary layoff. Notice of temporary layoff may be provided by using alternative methods as described in [WAC 357-04-105](#).
6. If a temporary layoff is implemented due to the failure of congress to pass a continuing resolution or a federal budget, DSHS must provide the employee at least 1 calendar days' notice of temporary layoff. The temporary layoff notice must inform the employee of their status during temporary layoff. Notice of temporary layoff may be provided by

using alternative methods as described in [WAC 357-04-105](#). During a temporary layoff, per [WAC 357-46-067](#), the employee's status will be as follows:

- a. An employee's anniversary, seniority, and unbroken service dates are not adjusted for periods of time spent on temporary layoff.
 - b. An employee's vacation and sick leave accruals will not be impacted by periods of time spent on temporary layoff.
 - c. An employee's holiday compensation will not be impacted by periods of time spent on temporary layoff; and
 - d. The duration of an employee's probationary period or trial service period shall not be extended for periods of time spent on temporary layoff.
7. An employee who is temporarily laid off is not entitled to:
- a. Layoff rights, including the ability to bump into another position or be placed on the DSHS internal layoff list or statewide layoff list.
 - b. Payment for their vacation leave balance.
 - c. Use their accrued vacation leave for hours the employee is not scheduled to work if the temporary layoff is due to lack of funds.
8. If the temporary layoff isn't due to lack of funds, DSHS may allow an employee to use accrued vacation leave in lieu of temporary layoff.
9. At the conclusion of the temporary layoff, the employee has the right to resume the position they held immediately prior to the temporary furlough. The employee returns with the same status and percentage of appointment they held prior to the furlough. (See [WAC 357-46-068](#).)

J. Resignation ([WAC 357-46-150](#))

1. An employee intending to resign from DSHS should provide their appointing authority or designee a letter of resignation at least 15 calendar days before the effective date of the resignation.
2. The appointing authority may allow the employee to withdraw their resignation at any time prior to the effective date. [WAC 357-46-150](#).

K. Disability separation ([WAC 357-46-160](#))

1. A disability separation may occur when the current appointing authority, in collaboration with HRD, determines the employee, due to a disability, is unable to perform the essential functions of the employee's position or class, with or without reasonable accommodation. See also [DSHS administrative policy 18.26 disability related reasonable accommodation](#).

2. The cause of the inability to perform the essential function may be due to mental, sensory, or physical incapacity.
3. The reasons for disability separation include, but are not limited to:
 - a. The employee cannot be reasonably accommodated within DSHS.
 - b. The appointing authority has medical documentation of the employee's inability to work in any capacity.
 - c. The employee requests separation due to disability and has provided the appointing authority with medical documentation stating that the employee cannot perform the essential functions of the employee's position or class.
4. The employee must receive written notice of the separation with:
 - a. A minimum of 7 calendar days prior to the effective date.
 - b. Reemployment information included for permanent employees.
5. Disability separation is not a disciplinary action.
6. A permanent employee separated by DSHS due to disability may appeal the separation under [chapter 357-52 WAC](#), unless the separation is at the employee's request.

L. Separation during probationary period ([WAC 357-46-180](#))

1. An appointing authority may separate a probationary employee who has not completed their probationary period.
2. The probationary employee must receive a minimum of 1 calendar day's written notice before separation.
3. An individual separated during a probationary period does not have the right to appeal the separation.

M. Non-disciplinary separation of permanent employees ([WAC 357-46-195](#))

1. This section does not apply to disability separations.
2. Permanent employees may be separated for non-disciplinary reasons such as:
 - a. Failure to comply with conditions of employment that may or may not have existed at the time of the initial appointment.
 - b. Failure to authorize or pass a required background check. (See [DSHS administrative policy 18.63 employee background check requirements](#).)
3. The appointing authority may consider other employment options such as transfer or voluntary demotion in lieu of separation.

4. The employee must receive written notice of the separation, a minimum of 15 calendar days prior to the separation. The notification must include the reason for the separation.
5. If the employee satisfactorily demonstrates why the separation should not occur, the appointing authority may rescind the separation notice within the 15-day period.
6. If retaining the employee in their current position during the 15-day period represents a liability, the appointing authority may reassign the employee to another work location until the separation is effective.
7. A permanent employee may appeal separation as provided in [chapter 357-52 WAC](#).

N. Separation of permanent employees for unauthorized absences ([WAC 357-46-210](#))

1. An appointing authority may separate a permanent employee who has been absent without authorized leave for a period of at least 3 consecutive working days.
2. The appointing authority or their designee will make reasonable attempts to contact the employee to determine the cause for the absence and the appropriate action.
3. After an unauthorized absence lasting for a period of at least 3 consecutive work days, the appointing authority may, in collaboration with [HRD](#), separate the employee by:
 - a. Sending a separation notice to the employee by personal service or United States mail to the last known mailing address listed in the human resources management system (HRMS).
 - b. Including in a permanent employee's separation notice
 - i. Their ability to petition the appointing authority for reinstatement; and
 - ii. Their right to appeal the separation to the personnel resources board ([PRB](#)).
4. A permanent employee separated for unauthorized absences may petition the appointing authority in writing to consider reinstatement. The employee must provide proof that the absence was involuntary or unavoidable. DSHS must receive the employee's petition within 7 calendar days of personal service or deposit in the United States mail of the separation notice. [WAC 357-46-220](#)

The appointing authority must respond, in writing, to an employee's petition for reinstatement within 7 calendar days of receiving the petition. Petitioning the appointing authority does not lengthen the time in which the employee may appeal to the [PRB](#).

⁰¹ Link updates 2024 SharePoint move.

DSHS Official