

Administrative Policy No. 18.58

Subject: Washington Management Service
Department Of Social and Health Services

Authorizing Sources: [RCW 41.06.022](#) "Manager"--Definition
[RCW 41.06.500](#) Managers--Rules--Goals
[Chapter 357-58 WAC](#) Washington Management Service
[Chapter 357-04 WAC](#) General Provisions
[Chapter 357-22 WAC](#) Personnel Files
[Chapter 357-25 WAC](#) Affirmative Action Program
[Chapter 357-26 WAC](#) Reasonable Accommodation
[Chapter 357-31 WAC](#) Leave
[Chapter 357-34 WAC](#) Employee Training and Development
[Chapter 357-37 WAC](#) Performance Management
[Chapter 357-40 WAC](#) Discipline
[Chapter 357-43 WAC](#) Employee Business Units
[Chapter 357-52 WAC](#) Appeals
[Administrative Policy 18.28](#) Compensation
[Administrative Policy 18.66](#) Discrimination and Harassment
Prevention
[Administrative Policy 18.83](#) Inclusion and Evaluation Procedure
Washington Management Service

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Approved By: Original signed by Wendy Long
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Purpose:

This policy defines the Department of Social and Health Services (department) policies and procedures for employees in Washington management service (WMS) positions.

Scope:

This policy applies to all employees in positions that meet the inclusion criteria for WMS. WMS employees are classified employees. The rules pertaining to WMS employees are defined in [Chapter 357-58 WAC](#).

If a department policy or practice is not specifically addressed in this policy, the provisions of [Chapter 357-58 WAC](#) and related sections of the department's administrative policies in chapter 18 will apply.

Definitions

Acting appointment: A nonpermanent appointment in WMS.

Appointing authority: An individual delegated authority by the Secretary to appoint, transfer, layoff, reduce, dismiss, suspend, or demote employees. (See administrative policy [4.05](#)).

Banding committee: The committee that determines placement of positions in Washington management service.

Cabinet: The advisory body that supports the secretary and is made up of the assistant secretaries, chief of staff, deputy chief of staff and the director of division of vocational rehabilitation.

Competencies: Measurable or observable knowledge, skills, abilities, and behaviors critical to success in a key role, job or function.

Concurrent appointment: Probationary or trial service period served simultaneously with the WMS review period.

Control point: The ratio of WMS employees to total staff expressed as a percentage which varies based on increases and decreases in total staff. The control point includes all WMS employees in multi-filled, acting, and project WMS positions.

Demotion: Movement of an employee to a position with a:

- Lower salary standard;
- Lower range of consideration; or
- Lower management band.

Department-covered position: A position designated to have:

- Unsupervised access to vulnerable adults, juveniles, or children;
- Access to the internal databases of the Background Check Central Unit or the Division of Disability Determination Services; or
- Access to sensitive information.

Dismissal: Termination of employment for disciplinary purposes.

Employee: An individual working in classified service. Employee business unit members are defined in WAC [357-43-001](#). A permanent WMS employee is one who has successfully completed a WMS review period.

Job value assessment charts (JVAC): The tools used to evaluate WMS positions, assign evaluation points, and place positions in the appropriate management band.

Layoff unit: The WMS layoff unit is within the employee's current administration with the department. The geographic boundary of each unit is statewide.

Manager or managerial employee: Per [title 357 WAC](#), a person who performs one or more of the following functions:

1. Formulates statewide policy or directs the work of the department or a department subdivision;
2. Administers one or more statewide policies or programs in the department or a department subdivision;
3. Manages, administers, and controls a local branch office within the department or a department subdivision, including the physical, financial, or personnel resources;
4. Has substantial responsibility in personnel administration, legislative relations, public information, or the preparation and administration of budgets; or
5. Functions above the first level of supervision and exercises authority that is not merely routine or clerical in nature and requires the consistent use of independent judgment.

Management bands: A series of management levels included in WMS. Placement in a band is determined based on the following requirements of the position:

1. Accountability;
2. Decision-making and policy impact; and
3. Knowledge, skills, and abilities.

Market segment: The industry or occupational field to which positions assigned to the benchmark are most closely aligned.

Peer group: A group of positions that perform the same or similar duties requiring an equivalent level of knowledge, skills, and abilities. A peer group may consist of a single position or multiple positions.

Point value: Points resulting from an evaluation of a WMS position using the JVAC.

Premium: Pay added to an employee's base salary, on a contingent basis, in recognition of special requirements, conditions, or circumstances associated with the job.

Project employment: Funding for a position is contingent on state, federal, or other grant

funding of specific and time-limited duration.

Promotion: An increase in a position's evaluation points or higher salary standard; or an employee's movement to a different position with a higher salary standard or evaluation points.

Range of consideration (ROC): The established range of *minimum and maximum* salary assigned to a WMS position. Each ROC must fit within one of the five WMS bands.

Reassignment: Employer-initiated movement of:

1. An employee from one WMS position to another WMS position with the same salary standard or evaluation points; or
2. A WMS position and incumbent from one section, program, or geographic location to another section, program, or geographic location.

Reversion: Voluntary or involuntary movement of an employee during the trial service period resulting in placement in a different position or on the employer's internal layoff list.

Review period: A specific period of time to ensure the WMS employee meets the requirements and performance standards of the position. The employee gains permanent status in WMS at the conclusion of the review period.

Salary standard: Within a management band, the maximum dollar amount assigned to a position. The salary standard is comparable to step L in the Washington general service compensation plan.

Separation: Departing state employment for non-disciplinary purposes.

Suspension: An absence without pay for disciplinary purposes.

Transfer: An employee initiated movement from one position to a different position with the same salary standard, same evaluation points, or both.

Washington general service (WGS): The system of personnel administration that applies to classified employees or positions under the jurisdiction of [chapter 41.06 RCW](#) which do not meet the definition of manager found in [RCW 41.06.022](#).

Washington management service (WMS): The system of personnel administration that applies to classified managerial employees or positions under the jurisdiction of [RCW 41.06.022](#) and [RCW 41.06.500](#), and those of [Chapter 357-58 WAC](#) adopted by the State Human Resource Director.

Policy:

The department's cabinet members are delegated responsibility for the employment, compensation practices, and other personnel matters for employees under their authority. All actions taken will comply with state statutes and state human resources rules and guidelines.

A. Position management

1. Appointing authorities must maintain a current approved position description for each WMS position.
2. The number of WMS positions in an administration may not exceed the control point established for that administration.
3. Only one fulltime permanent employee may be appointed to a permanent position.
Exception: Multiple employees may be appointed to the same WMS position if one or more of the following criteria exists:
 - a. During the absence of the position's permanent employee;
 - b. Addressing a short-term immediate workload peak or other short-term need;
 - c. Conducting recruiting activities to fill the position;
 - d. Reducing the possible effect of a layoff; or
 - e. The nature of the work is sporadic and does not fit a particular pattern.
4. The department's human resources classification and compensation unit designates the overtime eligibility status for each WMS position based on the Fair Labor Standards Act criteria.
5. The appointing authority will designate the workweek and work schedule.
6. Project positions that meet the definition of "manager" may be placed in WMS.
7. Compensation for overtime-eligible employees must meet the criteria in [chapter 357-28 WAC](#).
8. When the duties of a position no longer meet the definition of manager and are not appropriate in WMS, the WGS reallocation rules apply ([Chapter 357-13 WAC](#)).

B. WMS inclusion and evaluation

HRD will make inclusion and valuation decisions in accordance with administrative policy [18.83](#).

C. Selection and hiring

1. The appointing authority is responsible for hiring and appointments to WMS positions. Employment practices must conform to federal, state, and department laws, rules, and policies relating to employee selection, non-discrimination, and affirmative action.
2. An appointing authority must give consideration to qualified candidates on the general government transition pool as specified in [WAC 357-46-100](#).
3. An appointing authority may consider any or all qualified candidates for hire, promotion, or internal movement, and is not required to grant promotional preference when filling WMS positions.

D. Appointments

1. The appointing authority may make the following WMS appointments:
 - a. *Promotion*
 - i. Appoint a permanent WGS employee to a WMS position;
 - ii. Appoint a WMS employee to a higher WMS band; or
 - iii. Appoint a WMS employee to a WMS position in the same band with a higher salary standard, higher evaluation points, ROC, or any combination thereof.
 - b. *Demotion*
 - i. Move a permanent employee downward involuntarily based on a non-disciplinary reassignment of duties:
 - 1) To a lower salary standard or ROC;
 - 2) To a management band lower than the permanent employee's current position based on evaluation of new job duties; or
 - ii. For a disciplinary action.
 - c. *Reassignment*
 - i. Reassign an employee, or a position and its incumbent, to meet business needs.
 - 1) If the new location is within 35 miles of the employee's official residence the employee must accept the reassignment.
 - 2) If the reassignment is beyond 35 miles of the employee's official residence, the employee is not required to agree to the reassignment and may exercise the layoff rights described in section K of this policy.
 - d. *Acting Appointments*
 - i. Make nonpermanent "acting" appointments in WMS to meet business needs.
 - ii. The "end date" of an acting appointment may be set in the appointment letter. If an end date is not set in the appointment letter, the employee must receive written notice of the acting appointment termination date as follows:
 - 1) A permanent employee must receive 15 calendar days' notice; or
 - 2) A non-permanent state employee must receive one work day notice.

e. *Non-permanent appointments to WGS positions*

A permanent WMS employee may accept a nonpermanent appointment to a WGS position ([Chapter 357-19 WAC](#)).

f. *Project Appointments*

A permanent WMS employee may accept an appointment to a project WGS position. ([Chapter 357-19 WAC](#)) or to a project WMS position ([WAC 357-58-255](#)).

2. The employee may initiate the following actions:

a. *Transfers*

- i. A WMS employee with permanent status may accept a transfer within the department or to another state agency at any time;
- ii. A permanent employee may transfer from a WMS position to a WGS position if their salary is within the salary range of the WGS position;
- iii. A permanent employee may transfer from a WGS position to a WMS position if their salary is within the position's assigned WMS management band; and
- iv. A permanent WMS employee may transfer to a project WMS position.

b. *Voluntary Demotion*

A permanent WMS employee may demote to a lower position for which the employee qualifies in:

- i. The current management band with lower evaluation points;
- ii. A lower WMS management band;
- iii. WGS if approved by the, department's cabinet member for the administration;
or
- iv. A project WMS position.

E. Review periods

1. The review period for a WMS employee is between 12 and 18 months. The timeframe is determined by the appointing authority.
2. A review period must be served when any of the following occur:
 - a. A permanent employee promotes to a permanent WMS position;
 - b. An employee does not have permanent status in classified service and is appointed to a permanent WMS position;
 - c. An employee transfers to a position with the same salary standard with duties different from the duties performed immediately prior to the transfer;
 - d. An employee demotes to a WMS position with a lower salary standard, ROC, or lower management band;
 - e. An employee is appointed to a WMS project position and does not have permanent status in classified service;

- f. A new employee is appointed from outside state service or another state agency; or
 - g. A permanent employee promotes to a project WMS position.
3. The appointing authority may require an employee who transfers, voluntarily demotes, accepts a layoff option to another WMS position, or remains in the same position and receives a promotion resulting from higher level duties to serve a review period.
 4. The appointing authority must inform the employee, in writing, of the length of the review period. After successful completion of the review period, the employee will attain permanent status in the WMS position.
 5. The appointing authority will determine whether the time served in the initial review period will count toward the review period of the new position when a WMS employee is promoted to another department WMS position during the review period.
 6. An employee still in their review period with another agency promoting into a department WMS position will begin a new review period. The employee will not attain permanent status in the original position in the former agency unless both appointing authorities agree in writing.
 7. Permanent status in the position is attained after successful completion of the review period. If a review period is not required under [title 357 WAC](#) and the appointing authority chooses to not require a review period, the employee will attain permanent status upon appointment.
 8. No more than 174 hours of time spent on leave without pay or shared leave will count toward completion of the employee's review period.
 9. If the employee's initial review period is extended, the appointing authority must notify the employee in writing.

F. Reversion

1. A WMS employee separated prior to completing the review period who does not have permanent status in the classified service does not have reversion rights. Employees may not appeal reversion or separation during the review period.
2. A permanent WMS employee who does not satisfactorily complete the review period, will be notified in writing and reverted under WACs [357-58-345](#), [350](#), [355](#), [360](#) and [375](#). The written notice must include the effective date of the reversion. When practicable, the effective date of the reversion is five (5) working days after receiving written notice.

3. A permanent WGS employee, appointed to a WMS position and reverted during the review period, has reversion rights with the employer implementing the reversion.
4. When an exempt employee has return rights to a WMS position, HRD is responsible for implementing the actions ([Chapter 357-04 WAC](#) and [Chapter 357-19 WAC](#)).

G. Compensation

1. The administration's cabinet member is responsible for effectively managing and budgeting for WMS salaries.
2. The administration's cabinet member determines the salary standard and ROC for WMS positions.
3. WMS employee salaries may not exceed the top of the management band to which the WMS position is assigned. In certain cases an exception may be sought and must be reviewed and approved by the State Human Resources division of OFM.
4. WMS employee salaries may not be set below the minimum salary of the management band.
5. Range of consideration (ROC)
 - a. The ROC minimum is equal to 25% less than the maximum salary established for a position or group of positions.
 - b. A position's ROC may be adjusted for legislatively directed general or special increases or after assigning the position to a higher or lower salary band or JVAC.
 - c. The ROC is set when a position is established in WMS or when a WGS position is transitioned to WMS.
 - d. Upon initial transition of a position to WMS from WGS, the employee's salary is increased to at least the minimum of the ROC assigned to the new position.
6. Salary adjustments
 - a. In a 12-month period, the cumulative percentage total increases for growth and development, documented internal salary alignment, recruitment and retention problems, and temporary promotions must not exceed ten percent.
 - b. The following actions are not included in the ten percent annual limit on salary increases:
 - i. Salary adjustments for the initial transition from WGS to WMS
 - ii. New hire
 - iii. Promotion (except temporary promotions as noted in section 6a)
 - c. A salary increase for a WMS employee must be authorized by the administration's cabinet member.

- d. Per [WAC 357-58-090](#) the department may adjust a WMS salary under the following conditions:
 - i. Legislatively directed general or special increase unless the employee is above the salary band maximum;
 - ii. Documented recruitment or retention problems as approved by the department's secretary or designee; or
 - iii. Documented department or state internal salary relationship problems approved by the department secretary or designee

7. Layoff – effect on salary:
 - a. A WMS employee's salary will remain unchanged if the employee is placed in a WMS position with the same salary standard and ROC the employee held before the layoff.
 - b. When a WMS employee is placed in a position with a salary standard lower than the employee's previous position and the employee's current salary is less than the new salary standard, the salary will remain unchanged. If the pre layoff salary is higher than the new salary standard, the salary will be set at the new salary standard.

8. Discipline – effect on salary
Any salary decrease must comply with the salary basis test of the Fair Labor Standards Act ([WAC 357-58-120](#)).

9. Involuntary demotion – effect on salary
The employee's current salary will be retained until the WMS management band maximum exceeds the employee's salary or the employee leaves the position ([WAC 357-58-125](#)).

10. Voluntary demotion – effect on salary
The employee's salary will be reduced to a dollar amount within the lower range of consideration for a WMS position. If the employee demotes to a position in WGS the employee's salary will be reduced to a dollar amount in the salary range for the new position.

11. Other compensation
 - a. The appointing authority, in consultation with the department's human resources, may authorize standby pay. The authorized rate is \$25.00 per day.
 - b. Relocation compensation may be approved if the requirements of [administrative policy 18.28](#) are followed.
 - c. Additional leave to support the recruitment of a candidate or the retention of an incumbent for a WMS position must be authorized by the administration's cabinet member in accordance with [WAC 357-58-175](#) prior to making the offer to the candidate or employee.
 - d. Eligible employees will receive location based premium pay as specified in [WAC 357-58-141](#).

H. Performance management

1. Training and development
[WAC 357-34](#) identifies training and development opportunities for WMS managers, including mandatory training for managers with supervisory duties.
2. Performance feedback – performance development plan
An employee serving a review period must receive a formal evaluation of their job performance before permanent status is attained. Permanent employees must receive feedback on an annual basis.
3. Discipline
A WMS manager may be reduced in salary, dismissed, suspended without pay, or demoted for cause ([WAC 357-40](#) and [WAC 357-58](#)).

I. Layoff

1. Layoff is an employer-initiated action under [WAC 357-58-445](#) that results in one of the following:
 - a. Separation from service;
 - b. Appointment to a WMS position with a lower salary standard or evaluation points;
 - c. Appointment to a WGS position with a lower salary range maximum;
 - d. Reduction in the work year; or
 - e. Reduction in the number of work hours
2. The appointing authority must follow the department's [WMS layoff procedure](#) when a layoff is necessary.
3. The layoff unit is the administration. The geographic boundary of each unit is statewide.
4. Employment projects are distinct layoff units, separate from other defined units.
5. Positions designated as having a legitimate business requirement are not considered part of a layoff unit and are not offered as a layoff option. The appointing authority must request the designation from the senior director of human resources or designee prior to a layoff.
6. Layoff options will be based on seniority.
7. An eligible veteran's preference in the layoff process will be based on [WAC 357-58-475](#).

8. Ties in seniority will be broken by random draw.
9. Employees have five calendar days to accept a layoff option.

J. Separations from service

1. Under [chapter 357-46 WAC](#), a WMS employee may be separated for:
 - a. Disability;
 - b. Non-disciplinary reasons; or
 - c. Unauthorized absence
2. An employee may submit a resignation.

K. Reconsideration of department action

1. When an employee is notified or becomes aware of an action affecting their WMS position, the employee may request reconsideration of the following department actions (whichever is first):
 - a. Salary adjustments (or lack thereof) when the responsibilities of the permanent employee's position have changed. Requests for salary adjustment reviews are submitted to the appointing authority for review and recommendation to the administration's cabinet member;
 - b. Placement actions following reversion of a permanent employee;
 - c. Inclusion of a permanent employee's position in WMS; or
 - d. Removal of a permanent employee's position from WMS.

The senior director of human resources will determine who will hear the employee's request for review at each level. The administration's cabinet member makes the final decision on the employee's request.

2. Timeframes for requests to review department actions.
 - a. A written request for review must be submitted to the senior director of human resources within 15 calendar days following the action(s) described in subsection 1 of this section.
 - b. Timeframes must be strictly adhered to unless mutually modified in writing.
 - c. Management has 30 calendar days to meet with the employee and to provide a written response to the employee.
 - d. The employee has 10 calendar days from receipt of the first level response to submit a request for a second level review if they disagree with the first level response.
 - e. The department's designee has 30 calendar days to meet with the employee in person or by phone and render the final department decision on subsection 2.a of this section.

- f. If the employee disagrees with the department's final decision concerning inclusion in WMS, they may request a review by state human resources within 15 calendar days of notification of the decision. Such review will be limited to relevant documents and information and the decision will be final.
 - g. Calendar days are counted by excluding the first day and including the last day of the timeframe. When the last day falls on a Saturday, Sunday, or holiday, the last day will be the next business day.
 3. The senior director of human resources or designee may reconsider actions by the banding committee.
 4. Reconsideration requests are forwarded to the department's human resources and tracked as required in [WAC 357-58-530](#).

L. Appeal Rights

1. Any permanent employee in a WMS position may file an appeal with state human resources for one or more of the following actions:
 - a. Layoff, dismissal, suspension, demotion, or separation;
 - b. Reassignment of the position beyond a reasonable commute without the employee agreeing to the reassignment; or
 - c. A reduction of the base salary.

Department decisions regarding which WMS positions to eliminate in a layoff are not subject to appeal.

M. Recordkeeping and record retention

Proper recordkeeping is the responsibility of the department's human resources and appointing authorities. Human resource records must be maintained according to their retention schedule.

01 Housekeeping Change to update link on page 10 for WMS Layoff Procedures