

13-1 Introduction

This chapter provides guidance on how the agency will administer the Washington Management Service (WMS) program. WMS is a personnel system established separately for civil service managers in state government.

State managers have a crucial role in ensuring that the public receives needed government services in the most efficient and cost-effective manner possible. Managers must direct the development and implementation of policies and programs that achieve results. Managers must attract, develop, and retain a competent, productive workforce in order to successfully carry out state programs. Managers must build and sustain a workplace culture that focuses on performance and outcomes.

State managers are expected to personally commit to demonstrating excellent leadership competencies and achieving programmatic results. It is essential that agency leaders hold their managers accountable for properly leading and managing their human resources - their employees. This includes aligning the workforce with the organization's strategic plan, hiring the best qualified staff, creating a productive work environment, setting clear performance expectations, providing day-to-day feedback and support, developing staff competencies, conducting regular performance evaluations, implementing timely and meaningful rewards, and, holding employees accountable for successful performance.

Washington State depends largely on the quality and productivity of state employees. Each manager has the unique and critical responsibility to foster the building of a performance-based culture that will enable workforce success.

The information provided in this chapter is based upon Washington Administrative Code (WAC) [Chapter 357-58](#) Washington Management Service. If you require information that is not contained in this chapter, please refer to [Chapter 357-58 WAC](#).

13-2 Reference

[Chapter 357-58 WAC](#) – Washington Management Service

13-3 Inclusion in Washington Management Service

WMS employees are part of the classified service. [Chapter 357-58 WAC](#) applies to classified employees and positions that meet the definition of manager in [WAC 357-58-035](#).

Managers interested in including positions in WMS should consult with their local Human Resource Consultant. Approval of the request for inclusion or evaluation by the position's agency head or designee is required.

13-4 Classification

A. Process to Establish and/or Transition a Washington General Service (WGS) Position to WMS

At WSDOT, the agency WMS Review Committee will review all position establishments and requests for re-evaluation of existing WMS positions to determine both inclusion in WMS and band placement/job value assessment. The committee members are a cross-representation of various disciplines within WSDOT as well as a human resource professional from another agency.

The work of the committee members (job evaluators) is very important for assuring fairness in determining whether positions should be included in WMS and when allocating positions to WMS levels. Accurate and consistent evaluation is dependent on good position information. Therefore, it is critical that relevant and accurate job content information is provided in the position descriptions.

1. Supervisor

After consultation with the local Human Resource Consultant, the supervisor of the position prepares the following:

- A WMS Management **Position Description** that identifies the position's objective, accountability (scope of control and influence), decision making and policy impact, and the knowledge, skills and abilities needed according to program and business needs. If filled, the supervisor will collaborate with the incumbent to complete the position description ensuring that assigned duties, responsibilities, and competencies are accurately reflected. Signature by the incumbent is required on the position description if the position is filled.
- A **current organizational chart** (org chart) and the **new proposed org** chart.
- A **Request Memo**, with a copy to the Appointing Authority – or from the Appointing Authority. Provide the reasons for inclusion to WMS. Summarize the reasons surrounding the request, i.e., where the new work is coming from; describe the duties that have changed compared to the position description on file, (if there is one); changes to the position's assigned work activities, accountability, fiscal responsibilities, supervision and/or policy impact. This may include a comparison with similar positions and/or functions within the appointing authority's organization.
- A completed **WMS Review Request Form** for review, approval and signature by the Appointing Authority – approving review by the WMS Committee.
- If the position is to be established for the purpose of a defined project, with an expected end date, the manager will also complete and include a **Project Request Form**. The local Human Resource Consultant will route the form to the HQ Classification/Compensation Project Administrator who will review the request and determine approval on behalf of the Director, Office of Human Resources & Safety and Executive.

2. **Appointing Authority**

The Appointing Authority, Regional Administrator (or designee), will review the WMS package and if approved, all documents requiring signature will be signed. Provide the signed package to the local Human Resource Consultant.

3. **Human Resource Consultant**

The Human Resource Consultant will date-stamp and review the position description and finalize the complete package for submittal to the agency WMS Coordinator.

The complete package will include:

- WMS position description- signed by the incumbent (if any), supervisor and the Appointing Authority or Regional Administrator;
- WMS position description currently on file, if there is one;
- Current org chart, new proposed org chart, and one for the complete organization of the position's supervisor;
- Request Memo- from the supervisor (having copied the Appointing Authority) – or from the Appointing Authority, providing the reasons for inclusion to WMS. Summarize the reasons surrounding the request, i.e., where the new work is coming from; describe the duties that have changed compared to the position description on file, (if there is one); changes to the position's assigned work activities, accountability, fiscal responsibilities, supervision and/or policy impact. This may include a comparison with similar positions and/or functions within the appointing authority's organization.
- WMS Review Request Form- approved and signed by the Appointing Authority – approving review by the WMS Committee.
- Risk Class Identification (RCI) form;
- Retirement Eligibility form- if the position is new;
- Project Request Form and approval- if the position is a designated project position;
- Position Action Form (PAF)- partially completed, to be finalized by the WMS Coordinator after the WMS Review Committee meeting.

The effective date of the WMS action will be based on the HR date-stamp.

- Positions date-stamped on the 2nd-16th will be effective the 16th of the month;
- Positions date-stamped between the 17th and month's end will be effective on the 1st of the following month. For new positions, or if the duties are slated to begin at a later date, the Appointing Authority may determine a later effective date.

4. **WMS Review Committee**

The agency's WMS Review Committee will evaluate the position to determine both inclusion in WMS and band placement/job value assessment. The position description, org chart, Request Memo, WMS Review Request form, alignment with other positions, and other agency considerations will be used to determine appropriate job value assessment (JVAC) and band placement.

5. **WMS Coordinator**

Notifies the local Human Resource Consultant of the WMS Review Committee results.

6. **Human Resource Consultant**

Notify the Appointing Authority, Regional Administrator (or designee), and supervisor of the results.

- If there is an incumbent, discuss and determine the appropriate salary and review period requirement.
- Provide the WMS Coordinator information regarding incumbent salary and review period. The WMS Coordinator will send a WMS Notification Letter to the incumbent.
- The WMS Coordinator will finalize the PAF and submit the entire package to HQ HR Operations for processing.

B. **Reevaluation of an Existing WMS Position**

1. **Supervisor**

After consultation with the local Human Resource Consultant, the supervisor of the position prepares the following:

- A **WMS Management Position Description** that identifies the position's objective, accountability (scope of control and influence), decision making and policy impact, and the knowledge, skills and abilities needed according to program and business needs. The supervisor will collaborate with the incumbent to complete the position description ensuring that assigned duties, responsibilities, and competencies are accurately reflected. Signature by the incumbent is required on the position description.
- A **current organizational chart** (org chart) and the **new proposed org chart**.
- A **Request Memo**, with a copy to the Appointing Authority – or from the Appointing Authority. Provide the reasons for reevaluation of the position. Summarize the reasons surrounding the request, i.e., where the new work is coming from; describe the duties that have changed compared to the position description on file; changes to the position's assigned work activities, accountability, fiscal responsibilities, supervision and/or policy impact. This may include a comparison with similar positions and/or functions within the appointing authority's organization.
- A completed **WMS Review Request Form** for review, approval and signature by the Appointing Authority – approving review by the WMS Committee.

2. **Appointing Authority**

The Appointing Authority, Regional Administrator (or designee), will review the WMS package and if approved, all documents requiring signature will be signed. Provide the signed package to the local Human Resource Consultant.

3. **Human Resource Consultant**

The Human Resource Consultant will follow the steps outlined above in A.3 and will forward to the WMS Coordinator.

4. WMS Committee

The WMS Review Committee will review the package and make one of the following determinations:

- **Placement in Higher Band** – Documents job value assessment and band placement. The WMS Coordinator responds to the Human Resource Consultant following the process outlined above in IV Classification, A.4.5.6.
- **Placement in Lower Band** – Documents job value assessment and band placement. The WMS Coordinator responds to the Human Resource Consultant following the process outlined above in IV Classification, A.4.5.6.
- **No Change** – The WMS Coordinator documents the outcome of the review and notifies the Human Resource Consultant.

The effective date of the WMS action will be based on the HR date-stamp.

- Positions date-stamped on the 2nd-16th will be effective the 16th of the month;
- Positions date-stamped between the 17th and month's end will be effective on the 1st of the following month. For new positions, or if the duties are slated to begin at a later date, the Appointing Authority may determine a later effective date.

C. Position Removal

If a WMS position is reviewed by the WMS Review Committee and determined to no longer meet inclusion criteria for WMS, the provisions of [WAC 357-58](#) no longer apply. The Washington General Service (WGS) rules on reallocation ([WAC 357-13](#)) will apply. The local HR Consultant will allocate the position to a job classification in the WGS. If there is an incumbent, they will retain existing appointment status. The incumbent will receive notification from the WMS Coordinator regarding the removal from WMS, will be provided reconsideration of agency action process information, and notified that the local Human Resource Consultant will determine the appropriate WGS classification for the assigned work.

13-5 Compensation

A. Purpose

To define the manner in which employees in the Washington Management Service (WMS) will be compensated.

B. Compensation Philosophy

1. The Washington State Department of Transportation (WSDOT) recognizes that it is in the best interests of the agency and its employees to appropriately compensate our workforce for the value of the work provided.
2. The agency will establish its total compensation (pay and benefits) at a level to attract and retain a high-performing, motivated workforce. WSDOT's compensation practices will apply, in balance, four principles:
 - a. Compliance with State and Federal law
 - b. Internal equity and relative placement

- c. Recognition of the external market in which WSDOT competes for talent
 - d. Fiscal responsibility in relationship to the long-term and economic viability of the agency
3. Unless otherwise determined, WMS positions are generally considered exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) (357-58-160). WSDOT HR determines the overtime eligibility status of all positions in WSDOT based on criteria established by the US Department of Labor. Overtime exempt employees are salaried and generally expected to work the hours it takes to accomplish their duties. It is a WSDOT requirement that each overtime exempt employee establish a work schedule with the approval of their supervisor. This schedule will be documented and retained by the timekeeper and must be an average of 40 hours per week for full-time positions. WMS employees will be notified of their overtime status in an appointment or notification letter, including any subsequent changes to the position's eligibility. Overtime eligible positions that are changed to overtime exempt must receive approval from the Director of State HR.
 4. The agency will provide equal opportunity in the administration of compensation for all persons without regard to race, color, sex, religion, creed, age, marital status, national origin, sexual orientation, disabled and Vietnam-era veteran's status, or the presence of any physical, sensory or mental disability.

C. Definitions

- **Appointing Authority** – An individual lawfully authorized to appoint, transfer, layoff, reduce, dismiss, suspend, or demote employees.
- **Base Salary** – The dollar amount of the salary within the salary range to which the employee is entitled, before any deductions, and exclusive of additional compensation of any kind, such as premiums.
- **Classified Service** – Positions that are not exempt from state service.
- **Competencies** – Measurable or observable knowledge, skills, abilities and behaviors critical to success in a key job role or function.
- **Designee** – A member of senior management delegated by the Agency Director to make decisions with regard to this policy. In many cases, the designee will be the Deputy Director or Human Resource Director.
- **Director** – State human resources director within the office of financial management.
- **Dismissal** – The termination of an individual's employment for disciplinary purposes
- **Evaluation Points** – Points resulting from an evaluation of a position using the Job Value Assessment Chart. Points are also referred to as 'score' within this chapter.
- **Evaluator** – An individual who is assigned by management the responsibility to consistently evaluate an employee's performance.
- **Exempt Appointment** – Exempt from civil service law and does not have the same rights as classified positions.

- **Involuntary Downward Movement** – A nondisciplinary reassignment of duties that results in a lower salary standard and/or lower evaluation points for an employee's current position.
- **Job Value Assessment Chart (JVAC)** – A job evaluation tool provided by State Human Resources used to evaluate WMS positions and place them into management bands.
- **Management Band** – A series of management levels included in the Washington Management Service. Placement in a band reflects the nature of management, decision making environment and policy impact, and scope of management accountability and control assigned to the position.
- **Nonpermanent Appointment**- An appointment made by a general government employer under the provisions of [WAC 357-19-360](#).
- **Overtime Eligible Position** – A position that is covered by the overtime provisions of the Fair Labor Standards Act.
- **Overtime Exempt Position** – A position that is not covered by the overtime provisions of the Fair Labor Standards Act.
- **Promotion** – The assignment of additional responsibilities, which results in higher evaluation points and/or a higher salary standard for the same position, or movement to a different position that has a higher salary standard and/or higher evaluation points.
- **Range of Consideration (ROC)** – Within a management band, a salary range (minimum to maximum dollar amount) assigned to a WMS position based primarily upon its JVAC score. The maximum dollar amount assigned to the position will also be referred to as **salary standard**.
- **ROC-rate** – An individual employee's salary that exceeds the assigned ROC for that employee's WMS position.
- **Reassignment** – An employer initiated move of: (a) A WMS employee from one position to a different position within WMS with the same salary standard and/or evaluation points; or (b) A WMS position and its incumbent from one section, department or geographical location to another section, department or geographical location.
- **Reversion** – A 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 [357-19-117](#).
- **Review Period** – A period of time that allows the employer an opportunity to ensure the WMS employee meets the requirements and performance standards of the position.
- **Salary Range** – The minimum and maximum dollar amount assigned to a class.
- **Salary Standard**- Within a management band, a salary standard is the maximum dollar amount assigned to a position in those agencies that use a salary standard in addition to, or in place of, evaluation points. WSDOT uses salary standard in addition to ROC.
- **Transfer** – An employee initiated movement from one position to a different position with the same salary standard and/or same evaluation points.

- **W-rate** – An individual employee’s salary that exceeds the assigned management band for that employee’s WMS position.
- **Washington general service (WGS)** – Washington general service is 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** – A system of personnel administration that applies to classified managerial employees or positions under the jurisdiction of [RCW 41.06.022](#) and [41.06.500](#) and administered through [Chapter 357-58 WAC](#).
- **WMS Committee** – A group of both (agency) and external employees trained and knowledgeable in WMS inclusion and evaluation procedure, the definition of WMS manager, the WMS inclusion criteria, job value assessment charts, and the WMS evaluator’s handbook. The committee members attend WMS committee meetings and are active participants in review of positions providing accountability, consistency and transparency when determining inclusion and banding for WMS positions.

D. Policy

This policy outlines how the WSDOT will compensate its WMS workforce for the value of the work provided.

1. Salary Administration

Washington Management Service (WMS) is designed to ensure decentralized, streamlined personnel administration for management positions. Within the general parameters of the WMS rules, each agency has the flexibility to adopt and carry out its own policies regarding compensation, recruitment, selection, training, etc.

Additionally, Salary adjustments may be made under the following conditions:

- a. Legislatively directed general and/or special increase unless the employee is above the salary band maximum;
- b. Documented recruitment and/or retention problems as approved by the agency director or designee;
- c. Documented agency and/or state internal salary relationship problems, as approved by the agency director or designee.

2. Setting a WMS Position’s Salary Range of Consideration

The WSDOT WMS compensation structure is based primarily upon JVAC evaluation points. Each point value (score) has been assigned a salary range of consideration (ROC) within its management band. Ranges are set approximately 5% apart within each band. Three JVAC scores (589, 724 and 995) have been assigned two ranges, designated as “a” and “b,” (e.g. 589a and 589b). Once a WMS position is evaluated by the WMS Review Committee, the position is assigned the appropriate ROC for that JVAC score. WMS positions that are JVAC rated as 589, 724, or 995 will default to the “a” level unless their functions are specifically identified as an existing “b”. The Assistant Secretary over a particular position may submit a request for a “b” level to the Director, Office of Human Resources & Safety who will review it and make a recommendation to the

Assistant Secretary group. The Assistant Secretaries will make the final decision on the level of the position.

3. Entrance Into WMS

Upon initial appointment to a WMS position, the candidate and the hiring manager may negotiate individual salary within the position's assigned range of consideration. The hiring manager, in consultation with the local HR Consultant will assess salary increase offers for internal and external candidates. All salary offers must be approved by the Appointing Authority or Regional Administrator.

4. Transfer

At any time, an employee and the affected agency or agencies may agree to the transfer of a WMS employee within an agency or between agencies.

Additionally, a permanent employee may transfer from a WMS position to a WGS position if his/her salary is within the salary range of the WGS position.

A permanent employee may transfer from a WGS position to a WMS position if his/her salary is within the management band assigned to the WMS position.

Upon appointment to a different WMS position having the same ROC and/or JVAC evaluation points, the hiring manager will work with the local HR Consultant to assess whether or not a salary increase would be appropriate.

A salary change may be considered based on issues such as the similarities of the position the employee is leaving compared to the job required competencies for the job being filled. Salary changes must be approved by the Appointing Authority or Regional Administrator.

The employee's appointment date will change to the effective date of transfer to the new position.

5. Reassignment

At any time, an agency may reassign an employee or a position and its incumbent to meet client or organizational needs. If the new location is within a reasonable commute, (within a 35 mile one-way radius), the employee must accept the reassignment. If the reassignment is beyond this radius, and the employee does not agree to the reassignment, the employee has layoff rights in accordance with [WAC 357-58](#) and [Chapter 17](#) Layoff.

- a. Upon an agency-initiated reassignment of a WMS employee to a different position within WMS having the same salary standard/ROC and/or JVAC evaluation points, the hiring manager will work with the local HR Consultant to assess whether or not a salary increase would be appropriate based on business need. A salary change may be considered based on issues such as the responsibilities of the position the employee is leaving compared to the job required competencies for the job being filled. Reassignment must not result in a change in status and the employee's base salary must not be reduced. Salary changes must be approved by the Appointing Authority or Regional Administrator.

The employee's appointment date will change to the effective date of the reassignment.

- b. Upon an agency-initiated reassignment of a WMS position and its incumbent to another section, department or geographical location, there will be no salary change approved based on the reassignment.

The employee's appointment date does not change as the employee is not being appointed to a different position.

6. Promotion

A promotion within the WMS is defined as one of the following:

- a. The assignment of additional responsibilities, which results in higher evaluation points and/or a higher salary standard for the same position, or
- b. Movement from one WMS position to a different WMS position that has a higher salary standard and/or higher evaluation points.

In the event a WMS position receives additional responsibilities, the WMS Committee will determine if these qualify for higher points and/or salary standard. The employee's appointment date will change to the effective date of the promotion to higher evaluation points and/or to the higher salary standard/ROC.

Additionally, when a permanent WMS employee promotes to a WGS position within the same agency and is reverted during the trial service period, the agency must place the employee in a vacant funded WMS position for which the employee is qualified, and that is comparable to the employee's position and salary prior to the WGS appointment. If no vacant funded positions are available, the agency must place the employee in a WMS position for which the employee is qualified and which is similar to the employee's previous position and salary. If the reversion of the employee causes the total number of employees to exceed the total number of positions to be filled, the employer may implement a layoff.

- 7. Promotional increases normally do not exceed 10% and may not exceed the top of the assigned ROC. Salary determinations must be approved by the Appointing Authority or Regional Administrator. The hiring manager will work with the local HR Consultant regarding any special circumstances surrounding salary setting.

E. Effect on the Appointment Date – October 2015 forward

- 1. Promotion in the **SAME** position; this action is similar to a 'reallocation' in General Service:
 - a. **Higher Band** – Change the appointment date to the effective date of the action, with or without an established review period.
 - b. **Higher JVAC Points** – Change the appointment date to the effective date of the action, with or without an established review period.
- 2. New appointment to a **DIFFERENT** position:
 - a. Change the appointment date to mark the change to a new position.

F. Growth and Development Salary Adjustments

WMS employees are not entitled to a schedule of annual pay raises; however, the employee's Appointing Authority may grant a salary adjustment in recognition of the employee's demonstrated growth and development within the parameters described below.

1. Criteria

Growth and development salary increases may be proposed for WMS employees who have not reached the maximum salary in their position's assigned salary range of consideration (ROC); they must have been evaluated by their supervisor, completed evaluations for their direct reports (if they have them), and be approved for the increase by the Appointing Authority or Regional Administrator.

a. Increases may be granted by Level as outlined below. The maximum allowed for this type of salary adjustment will be 5 percent (5%).

- **Level 1** – up to 3 percent in the current ROC for achieving expectations and growth; meeting established goals and objectives outlined in the employee's performance and development plan.
- **Level 2** – up to 5 percent in the current ROC for significant growth and development, in addition to items from Level 1.

b. When a WMS employee is in an acting WMS appointment or a non-permanent general service appointment, a determination about a growth and development salary increase will not be made or applied until the employee returns to the permanent WMS position by the permanent Appointing Authority.

2. Effective Date

The growth and development salary increase will be effective day one of the appointment month and no sooner. Only one growth and development salary increase may be received annually.

A two month grace period beyond the appointment month is allowed for completion of the assessment process for the increase (to finalize evaluation, forms, signatures, etc.). The deadline for submitting the information to the local HR Consultant will be the last working day of the grace period.

The next opportunity for a growth and development salary increase will roll to the next year unless extraordinary circumstances warrant consideration for exceeding the grace period. Requests for exceeding the grace period will be submitted to the Classification & Compensation Manager, for research and potential approval.

3. Process

a. The Human Resource Consultant will notify the manager/supervisor of those who may be eligible for growth and development salary increases. The manager/supervisor determines whether to award the increase and the percentage. The manager/supervisor will complete a Growth and Development Salary Increase form and submit it to the Appointing Authority or Regional Administrator for approval and signature. The Growth and Development Salary Increase form will be submitted to the local Human Resource Consultant for processing.

- b. Growth and development salary increases initiated by an agency normally will not exceed a total of 25% during the tenure of an employee's appointment to a position. However, if the position is evaluated higher, the growth and development 25% limit begins again. Under extraordinary circumstances, the agency Secretary may request an exception to the salary increase limit from the State Human Resource Assistant Director at the Office of Financial Management.
- c. If the agency wants to provide an increase over the twenty-five percent limit, a request for exception must be submitted to the Office of the State Human Resources (State HR) Director.

Only the State HR Director may grant requests for exception to the salary increase limit.
- d. Salary changes greater than five percent proposed for any group of employees must be reviewed and approved by the State HR Director.

G. Demotion

1. **Voluntary Demotion and Demotion in Lieu of Layoff** – When a WMS employee accepts a position with lower evaluation points or a lower ROC, the employee's salary will remain the same if the salary is within the newly-assigned ROC. If the employee's current salary exceeds the new ROC, the employee's salary will be placed at the top of the new ROC.

Additionally, A permanent employee may voluntarily demote from a WMS position to a WGS position at a lower pay level than his/her current position.

When a permanent WMS employee demotes to a WGS position in the same agency and is reverted during the trial service period the agency must place the employee in a vacant funded WMS position for which the employee is qualified and with a salary that is equal to or less than the salary range maximum of the class from which the employee is reverting. If the reversion of the employee causes the total number of employees to exceed the total number of positions to be filled, the employer may implement a layoff.

When a permanent WMS employee promotes or demotes to a WGS position in a different agency and is reverted during the trial service period, the employer may separate the employee by providing fifteen calendar days' written notice. The employee may apply for the general government transition pool.

2. **Demotion in Current Position/Involuntary Downward Movement** – An involuntary downward movement is based on a non-disciplinary reassignment of duties that results in a lower salary standard and/or lower evaluation points for an employee's current position. When a WMS position with an incumbent is assigned a lower ROC, the employee's salary will remain the same. If the salary exceeds the ROC, but is within the assigned salary band, the employee's salary will be ROC-rated and the employee will continue to receive approved legislatively directed cost of living raises. If the salary exceeds the assigned salary band, the employee's salary will be W-rated, and the employee will remain at that salary until such time it is within the assigned salary band. Detail surrounding legislatively approved salary increases is explained below under Section K.

3. **Disciplinary Demotion** – Demotion for cause is a disciplinary demotion. If an employee receives a demotion for disciplinary reasons, the employee’s salary may decrease and must comply with the salary basis test of the Fair Labor Standards Act.

A disciplinary demotion results in the:

- a. Assignment of responsibilities which results in a lower salary standard and/or lower evaluation points for the same position or results in the position being placed in the WGS with a lower base salary, or
- b. Movement to a different position that has a lower salary standard and/or lower evaluation points or to a WGS position with a lower base salary.

H. Salary Alignment or Retention

1. Adjustments to WMS salaries may be made under the following conditions:
 - a. Documented recruitment and/or retention problems
 - b. Documented agency and/or state internal salary alignment problems
2. **Lump sum payment to support recruitment and/or retention** – The State HR Director may authorize up to a fifteen percent lump sum in addition to the employees base salary to support the recruitment and/or retention of the incumbent or candidate for a specific WMS position. Such payment to an employee may not exceed fifteen percent of their annual base salary over a twelve-month period. In advance of the payment, the agency must establish express conditions in writing. The conditions must include a specified period of employment or continued employment and payment must only be made after services have been rendered in accordance with conditions established by the agency. If the employee terminates or causes termination within one year of the date of the appointment or transfer, the employee may be required to pay back the lump sum payment. If the termination is a result of layoff, disability separation, or other good cause as determined by the agency director, the employee will not have to pay back the lump sum payment.
3. **Retention** – Salary increases for retention purposes must be approved by the Director, Office of Human Resources & Safety, the Agency Director’s designee. Retention increases are normally reserved for situations where an employee has received a legitimate job offer from another employer and the Appointing Authority wants to increase the employee’s compensation (within the ROC) to retain him or her. Retention requests must include an explanation of the retention issue, information about the job offer, and a description of the consequences if the employee is not retained. The Appointing Authority will provide this information to the local Human Resource Manager and the Director, Office of Human Resources & Safety.

Governor’s Office approval is required for salary adjustments equal to or greater than 15 percent for position(s) that have not experienced the addition of new duties within a 12-month period.

4. **Internal Alignment** – Salary increases for agency and/or state internal salary alignment problems must be approved by the Director, Office of Human Resources & Safety, the Agency Director’s designee. Salary alignment requests must include an explanation of the issue, and the consequences that drive the request. The Appointing Authority will submit the written explanation of the request to the local Human Resource Manager and the Director, Office of Human Resources & Safety.

Governor’s Office approval is required for salary adjustments equal to or greater than 15 percent for position(s) that have not experienced the addition of new duties within a 12-month period.

5. **Salary outside of the assigned WMS Band maximum** – The salary for a WMS position may be set outside of the assigned band maximum as allowed under [WAC 357-58](#) or when approved by the State HR Director.

I. **Acting WMS or Non-permanent WGS**

1. Upon return from an acting appointment, the salary will be set to the salary they left and any legislatively approved cost of living adjustment that may have occurred. When a permanent WMS employee has accepted an acting appointment, or non-permanent appointment to WGS, within the same agency and the acting appointment ends, the agency must, at a minimum, provide the employee the layoff rights of their permanent WMS position. If returning to a permanent WMS position, the employee’s salary must not be less than the salary of the previously held permanent WMS position.
2. When a permanent WMS employee has accepted an acting appointment, or non-permanent appointment to WGS, within a different agency, the original agency must provide layoff rights as specified in the [Chapter 17](#), for six months from the time the employee is appointed. Any return rights after six months is negotiable between the employee and agency and must be agreed to prior to the employee accepting the nonpermanent appointment. If the employee does not return on the agreed upon date, the employee can request placement in the general government transition pool per [WAC 357-46-095](#).
3. In lieu of the rights provided, the agency and the employee may agree to other terms.
4. If a WMS employee accepted a nonpermanent appointment to a WGS position during the WMS review period and returned to the same or different WMS position, the employer may allow the prior time served in the WMS review period to count towards the completion of the review period.

J. **Project**

WSDOT may designate project positions that meet the definition of manager as WMS project positions. An employee appointed to a project WMS position must be notified, in writing, of the status of the appointment and the expected ending date of the position.

Upon return from a project appointment, an employee who held permanent status prior to the project appointment and who negotiated a return to a permanent position, will have their salary set to the salary they left and any legislatively approved cost of living adjustment that may have occurred. If no return right was agreed to, the

permanent employee has the rights provided by [WAC 357-58-465](#) upon layoff from the project.

Additionally, a permanent WMS employee may accept an appointment to a project WGS position as provided in [Chapter 357-19 WAC](#). Any right to return to the employee's permanent WMS position is negotiable between the employer and employee and must be agreed to prior to the employee accepting the WGS position. If no return right is agreed to, the employee has the rights provided by [Chapter 357-46 WAC](#) upon layoff from the project.

K. Legislatively Approved Salary Increase

1. If the legislature approves a salary increase, employees whose base salaries are set outside the maximum of the assigned management band (W-rated) will not receive the salary increase unless:
 - a. The appropriations act specifically states that employees whose base salaries are set outside the maximum of the assigned management band will receive the increase; or
 - b. The top of the adjusted band exceeds the employee's current salary.
2. Employees whose salary exceeds the assigned ROC for that employee's WMS position (ROC-rated) but are not paid above the WMS salary band will receive the salary increase. The ROC-rate status will no longer apply once the adjusted ROC exceeds the employee's current salary.

L. WMS Employee, Return from Exempt Service

1. The employee's base salary must not be less than the employee's previous base salary in classified service, adjusted according to any changes to the salary standard established for the position or any general wage increases/adjustments that occurred while the employee was in exempt service.
2. When an exempt employee has the right to return under [WAC 357-04-030](#) to a WMS position the return will be accomplished as provided in [WAC 357-19-195](#), [357-19-200](#), and [357-58-132](#).

13-6 Recruitment/Selection/Employee Movement

WMS recruitment philosophy is to employ highly qualified staff and to give primary consideration to qualifications, knowledge, skills, and abilities, including the capacity to adapt and evolve over the long term.

A. Recruitment

1. The hiring manager/supervisor, with guidance and assistance from their Human Resource Consultant and Talent Acquisition and Development, will determine the most appropriate recruitment and selection methods.
2. The hiring manager/supervisor will consider workforce diversity and agency affirmative action needs when filling positions
3. The hiring manager/supervisor may consider all qualified applicants.
4. The Appointing Authority and Regional Administrator have the authority and the accountability for all recruitment and appointment actions for positions in WMS. Hiring decisions will be based on fair, objective, and job specific criteria.

B. Selection

1. The selection function is the process of choosing the most qualified person for the vacant position. This process includes screening qualified candidates for interview, developing questions for the interview, interviewing of applicants, and selecting who should be offered the position.
2. Vacancies are normally filled through direct competition arising from a recruitment announcement. In some cases, however, after consultation with the local Human Resource Consultant, staff may be reassigned or direct appointments may occur. Before a reassignment or direct appointment occurs, the hiring authority should discuss this with the local Human Resource Consultant. A resume or Washington State Department of Transportation (WSDOT) employment application for any candidate being considered should be provided to the local HR Consultant.
3. Lump sum vacation or accelerated vacation leave accrual.
 - a. In addition to the vacation leave accruals as provided in [WAC 357-31-165](#), an appointing authority, if regional, the Regional Administrator, may authorize additional vacation leave to support the recruitment and/or retention of an incumbent or candidate for a specific WMS position. An appointing authority may authorize:
 - An accelerated accrual rate for an incumbent or candidate; and/or
 - A lump sum accrual of up to eighty (80) hours of vacation leave for the incumbent or candidate.

This authorization requires approval by the Director, Office of Human Resources & Safety.
 - b. Vacation leave accrued under this section must be used in accordance with the leave provisions of [Chapter 357-31 WAC](#).
 - c. In accordance with [WAC 357-58-180](#), in order for an appointing authority to award additional leave for the purposes of recruitment and retention, terms and conditions must be established, in writing, to be met by the employee. Lump sum accruals may only be granted after the established conditions have been met. The leave may be used upon approval but in accordance with the leave provisions of chapter [357-31 WAC](#).
4. Relocation Payment
 - a. The Director of the Office of Human Resources & Safety, the Agency Director's designee, may authorize lump sum relocation compensation, within existing resources, if it is reasonably necessary that a person move their home to accept a position or to recruit or retain a qualified candidate or employee who would have to move their home to accept the position. The office/region will follow the method outlined in the [Chapter 24 Relocation Assistance](#) to determine the amount of relocation compensation.

- b. If an employee receives a relocation payment and terminates employment with the state within one year of the date of the appointment or transfer, repayment of the lump sum may be required. Termination as a result of layoff, disability separation, or other good cause as determined by the Director of the Office of Human Resources & Safety, the Agency Director's designee, will not require the employee to repay the relocation lump sum.
5. Additional compensation such as shift differential, call back pay and standby pay will not be available to WMS employees.

C. Appointments

Washington Management Service appointments shall be processed and approved through the applicable Human Resources and Safety (HR&S) Office.

1. A WMS review period must be served when a permanent employee promotes to a WMS position; or an employee who has not obtained permanent status in the classified service is appointed to a WMS position.
2. Based on the nature of the job and the skills of the appointee, the review period will be between twelve and eighteen months as determined by the appointing authority. At the time of the appointment, the appointing authority will inform the appointee in writing of the length of the review period. At WSDOT, WMS review periods are 12 months and may be extended as long as the total period does not exceed 18 months.
3. The Appointing Authority, or Regional Administrator, may require an employee who is promoted in the same WMS position as a result of additional new duties to serve a review period.
4. An employee who is **promoted to a different WMS position in a different agency during the review period** will begin a new review period for the new position. The new employer may allow for some or all of the time served in the review period for the prior position to count towards the review period. The employee will not attain permanent status in the original position in the former agency unless agreed to in writing by the employers in both agencies.
5. If a WMS employee is **promoted to a different WMS position in the same agency during the review period** the employer may count time served in the initial review period towards the review period of the new position.
6. An employee appointed to a WMS project position must serve a review period when:
 - a. The employee does not have permanent status in classified service; or
 - b. The employee is a permanent employee who has promoted to a project WMS position. An employee who does not have permanent status prior to appointment to a project WMS position will gain permanent status upon completion of the review period.
7. The Appointing Authority, if regional, the Regional Administrator, may require an employee who transfers, voluntarily demotes or accepts a layoff option to another WMS position to serve a review period.

8. If a WMS employee was serving a review period and accepted a nonpermanent appointment to a WGS position and returned to the same or different WMS position, the employer may allow the prior time served in the WMS review period to count towards the completion of the review period.
9. A WGS employee serving a probationary or trial service period who is appointed to a WMS position may serve the probationary or trial service period concurrently if the general service and WMS position are in the same or similar occupational field. The Appointing Authority, if regional, the Regional Administrator, may allow for some or all of the time served in the probationary or trial service period to count towards the review period.
10. Individuals who receive an acting (non-permanent) WMS appointment will be notified in writing of the anticipated length, intent, salary, and other conditions of the appointment. Status will not be gained as a result of the acting appointment. When an individual who is in an acting WMS appointment is subsequently appointed to a permanent WMS position, time spent in the acting appointment may count towards the review period. Acting appointments do not typically exceed 24 months. If the appointment requires exceeding 24 months, contact the HR Classification and Compensation Manager to discuss the situation.

If the employer agrees to return a permanent employee to a position at the conclusion of the acting appointment, the employee must notify WSDOT of his/her intent to return at least fourteen calendar days in advance. If no agreement was made to return the employee to a position, at a minimum the employee will have access to the internal layoff list.

The appointment date will be set to the effective date of the return from the acting appointment.

13-7 Reconsideration and Appeal

WMS is a decentralized personnel system established separately for civil service managers in state government. Agencies have delegated authority under the law to create management positions. Agencies determine if a position is appropriate for WMS. Agency policies detail the process used for WMS inclusion or evaluation.

The agency WMS Review Committee reviews establishments and requests for re-evaluation of existing WMS positions and determines both inclusion in WMS and band placement/job value assessment.

A. Reconsideration of Agency Action

1. Actions for which a WMS employee may request reconsideration:
 - a. Salary adjustment (or lack thereof) when the responsibilities of the permanent employee's position have been changed.
 - b. Placement following reversion of a permanent employee.
 - c. Decisions about whether or not a WMS employee's position is included in the WMS.

2. Within 15 calendar days of receiving notification, WMS employees may request a review of the decision for items noted in (a) through (c) above.

Process

- a. **Salary Adjustment** – The Appointing Authority and Regional Administrator have the authority and the accountability for setting salary in compliance with the criteria outlined in this chapter. Appointing Authority/Regional Administrator and local HR Consultant will address concerns.
- b. **Reversion** – The Appointing Authority and Regional Administrator have the authority and the accountability for setting salary in compliance with the criteria outlined in this chapter. They also have the authority and the accountability for all appointment actions for positions in WMS. Appointing Authority/Regional Administrator and local HR Consultant will address concerns.
- c. Decisions about Inclusion in the WMS:

Within fifteen calendar days of receiving notification, the employee will:

1. Provide the local HR Consultant with a written request for review describing specific concerns, and any supporting documentation. The local HR Consultant will submit the reconsideration package to the HR Classification and Compensation Manager.
2. If unresolved, a written request for reconsideration describing specific concerns, and any supporting documentation, may be submitted to the Deputy Secretary of Transportation **within the fifteen calendar days of the original notification request period.**

The final agency internal decision will be made by the Deputy Secretary of Transportation, the Agency Director's designee.

The employee will be notified, in writing, of the final agency internal decision in a timely manner.

3. If the employee disagrees with the Deputy Secretary's decision, he/she may request, **within fifteen calendar days of notification**, a review by the State Human Resources Director within the Office of Financial Management. The review will be limited to relevant documents and information, and will be final.

B. Other Appeal Rights

Any permanent employee in a WMS position who is laid off, dismissed, suspended, demoted, separated, whose position has been reassigned beyond a reasonable commute without agreeing to the reassignment, or whose base salary is reduced may appeal in accordance with [Chapter 357-52 WAC](#). Any WMS employee who is adversely affected by a violation of the state civil service law ([Chapter 41.06 RCW](#)) or the civil service rules pertaining to WMS employees ([Chapter 357-58 WAC](#)) may appeal in accordance with [Chapter 357-52 WAC](#). The conclusion of an acting appointment is not subject to appeal.

