22-1 Purpose

1. This chapter applies only to general service employees not represented by a collective bargaining agreement.

2. The purpose of this chapter is to provide information on different appointments used by the department. The information provided in this chapter is based upon Chapter 357-19 WAC Appointment and reemployment. If you require information that is not contained in this chapter, refer to WAC 357-19.

22-2 Definitions

**Nonpermanent Appointment** – An appointment made by the agency that does not result in either status as a state employee or status in a job classification.

**Probationary Period** – The initial period of state employment which occurs after certification and appointment, or reemployment to a position in the classified service.

**Transfer** – An employee-initiated move from one position within or between employers in the same class or a different class with the same salary range maximum.

**Trial Service Period** – The initial period of employment which occurs after promotional appointment to a position in a new job class; or following a transfer, voluntary demotion, or elevation when required by the employer.

**Reassignment** – An employer-initiated move of an employee from one position to a comparable position in the same class.

22-3 Appointments

To ensure compliance with state and federal hiring laws, rules, and regulations, as well as agency collective bargaining agreements (CBAs), all appointments, whether they be permanent, nonpermanent, on-call, classified, Washington Management Services, exempt, as well as any services contracted through employment or staffing agencies, shall be processed and approved through the applicable Human Resources (HR) Office. At a minimum, the hiring authority will present a resume and/or a Washington State Department of Transportation (WSDOT) employment application for any candidate being considered to the local HR Office.
22-3.1 Nonpermanent

Nonpermanent appointments are used when any of the following conditions exist:

- A permanent employee is absent from the position
- A recruitment is being conducted to fill a vacant position with a permanent appointment
- The need is to address a short-term, immediate workload peak or other short-term need
- The nature of the work is sporadic and does not fit a particular pattern

A. Position Specific Qualifications – Nonpermanent appointees must meet the position specific qualifications of the position to which they are appointed.

B. Eligibility for Nonpermanent Appointments – Nonpermanent appointments are allowed either from outside state service or from within state service.

C. Duration of Nonpermanent Employment – Nonpermanent employment should be limited to twelve months. However, a nonpermanent appointment may last as long as 24 months.

D. Extensions of Nonpermanent Employment – Extensions beyond 24 months must be approved by the State Human Resources Director.

   • Requests for extensions of nonpermanent appointments must be discussed with your assigned Human Resources Consultant. The request will then be submitted to the Manager, Classification and Compensation. This request must be submitted to the, Headquarters’ Office of Human Resources a minimum of four weeks prior to the legal limit of the appointment. The following information must be included in the request:
     – Employee’s name, personnel identification number, and last scheduled day of employment
     – Length of non-permanent appointment needed and requested ending date
     – Recruitment needs if appropriate (i.e. where the recruitment process is to fill the position on a permanent basis)
     – Justification of backfill or extension (e.g. medical leave)
     – Job class and a description of the knowledge, skills and abilities that the position requires
     – Statement as to why they cannot fill this position on a regular basis
     – Ramifications to the agency if the request is not approved

E. Notification

1. Beginning Appointment – An appointment letter shall be sent to the employee by the appointing authority or designee, confirming the date of the nonpermanent appointment, the reason for the non-permanent appointment, the anticipated length or sporadic nature of the appointment, compensation, the status of the employee at the conclusion of the nonpermanent appointment, the right to request remedial action as provided in WAC 357-19-428 and any other relevant information.
2. **Terminating the Appointment** – At the conclusion of the nonpermanent assignment, managers must notify the appropriate Human Resources Office so that steps can be taken to either terminate the employee or return them to their permanent position.

   *Note:* If the employee is a permanent state employee, the employer must provide at least fifteen calendar days’ notice. If the employee is not a permanent state employee, the employer must give one work day’s notice.

F. **Permanent Employee Return Rights** (*WAC 357-19-395*) – Permanent employees may accept a nonpermanent appointment and have rights to a position in the class they left provided that:

1. The appointment is within the current agency.
2. The employee has not left the original nonpermanent appointment.

   *Note:* The salary of an employee returning from a temporary promotion shall be determined as if the employee had remained in the former position.

If a permanent employee accepts a nonpermanent appointment to another state agency:

1. The employee must notify the employer at least 14 calendar days before beginning the appointment.
2. The employee’s supervisor will notify the employee, in writing, of any return rights.
3. At a minimum, the supervisor must provide the employee access to the department’s Internal Layoff List.

### 22-3.2 Probationary

Probationary periods provide managers the opportunity to observe and evaluate an employee’s skills, abilities, working subject knowledge, and future potential during the first months of employment. Flexibility in the length of the probationary period allows for the ability to accommodate various circumstances and to provide an employee additional training, mentoring, or direction in order to meet the performance expectations of the position. Managers/supervisors, in consultation with their Human Resources consultant can determine the appropriate length of the probationary period. Upon successful completion of a probationary period, the employee will gain permanent state status.

A. **Requirement** – The department requires that an employee who does not have permanent status must serve a probationary period when appointed to a permanent position.

B. **Length of Probation** – Positions are assigned probationary periods of six to 12 months in length. However, the agency may extend the probationary period for an employee as long as the total period does not exceed 12 months. Managers/supervisors, in consultation with their Human Resources consultant, can decide whether or not to extend a probationary period. If a probationary period is extended, the employee must be notified in writing.
22-3.3 Trial Service

Trial service periods provide managers the opportunity to observe and evaluate an employee’s skills, abilities, working subject knowledge and future potential after promotion to a new job class or following a transfer, voluntary demotion, or elevation. Flexibility in the length of the trial service period allows for the ability to accommodate various circumstances and to provide an employee additional training, mentoring, or direction in order to meet the performance expectations of the position. Managers/supervisors, in consultation with their Human Resources consultant, can determine the appropriate length of the trial service period. Upon successful completion the employee will gain status in the job classification.

A. Requirements – The department requires that a permanent employee upon promotion to a class in which they have not held permanent status, must serve a trial service period.

The department may require a permanent employee to serve a trial service period following a transfer or voluntary demotion. The department may require a permanent employee to serve a trial service period if the employee transfers or reverts into a position that does not have comparable or similar job duties as the position in which the employee gained permanent status.

B. Length of Trial Service – Positions are assigned trial service periods of six to 12 months in length. However, the agency may extend the trial service period for an employee as long as the total period does not exceed 12 months. Managers/supervisors, in consultation with their Human Resources consultant, can decide whether or not to extend a trial service period. If the trial service period is extended, the employee must be notified in writing.

22-4 Appointment Types

22-4.1 In-Training

In-training positions are permanent positions for which the employer identifies and utilizes defined training steps to train employees to successfully perform the duties and responsibilities of the goal class.

A. Rules Designating Positions for In-Training

1. Designating positions as in-training can assist in retaining employees in high turnover positions, recruiting college graduates, filling hard-to-fill positions, and changing the career path of an employee.

2. In-training positions can be filled with either transfer candidates or following recruitment.

3. Unless other staffing methods have been exhausted, positions with primary responsibility for supervision should not be designated as in-training positions.
B. In-Training Procedure

1. To designate a position as in-training, the supervisor must submit an updated Classified Position Description (CPD) and the training plan to their Human Resource consultant for approval by the Office of Human Resources.

For consistency purposes, managers should consult with their Human Resources Consultant on the time frames and training courses for similar positions. In-training phases shall last a minimum of six months. Upon demonstration that the employee has satisfactorily achieved those training objectives in less than six months, the department may waive the remainder of the time required at that training step.

2. While in-training, the salary for the employee will be the class to which they are assigned.

3. An employee in an in-training position must satisfactorily complete each phase—advancement is not automatic. The supervisor is responsible for evaluating the performance, verifying the required training has been completed, and providing the necessary counseling and coaching for the employee.

4. Any request for alteration of an approved training plan must include documentation by the immediate supervisor. This documentation must include the goals set forth for the employee and how the employee has attained those goals.

5. At minimum the in-training plan must document:
   • The title of the goal class.
   • The duties and responsibilities of the goal class.
   • The training steps and job classes that will be used to reach the goal class.
   • The training content for each step of the in-training plan. The training must include at least one of the following components: on-the job training (knowledge and skill developed through experience), classroom or field instruction, courses conducted by an educational institution, vocational school, or professional training organization and/or written, verbal and practical examinations.
   • The length of the training steps that are being used to reach the goal class.
   • The competencies that must be acquired by the employee while in training to the goal class.
   • The method(s) that will be used to determine if the employee has successfully completed the requirements of the in-training plan.
22-4.1 Project Employment

A. Rules Designating Positions for Project Employment

1. Project positions are classified positions established for purpose of a defined project for which the agency expects the work to be of a time-limited nature with an expected end date.

2. Project positions must be filled in accordance with the rules on recruitment, assessment, and certification as provided in Chapter 357-16 WAC.

3. An employee appointed to a project position must be notified, in writing, of the status of the appointment and the expected ending date of the position.

4. Review Periods
   - An employee who does not have permanent status in classified service must serve a probationary period when appointed to a project position. The employee gains permanent project status upon completion of the probationary period.
   - A permanent employee must serve a trial service period upon a promotional appointment to a project position.
   - A permanent employee who voluntarily transfers or voluntarily demotes to a project position may be required by the employer to serve a trial service period.

B. Project Employment Procedure – To designate a position as Project, the supervisor must submit Classified Position Description (CPD) for establishment to their Human Resources Consultant for approval by the Office of Human Resources. The supervisor must also complete and submit a Request for Project Designation Employment form to their Human Resource Consultant. This will be routed through the Classification and Compensation unit to obtain executive approval.

Project to permanent position conversions will not be performed. If a need arises where the nature of the work transitions to a permanent capacity, a new, permanent position must be established instead.

22-5 Other Appointments

22-5.1 Employment of Retired State Employees Rules

Rules and procedures for rehiring retired state employees are based on WAC 415-108-710. Employees who have retired from the state are typically not interested in permanent employment and, despite their extensive knowledge of state government and our business, should not be the focus of our recruitment efforts when seeking nonpermanent employees. As with most practices, however, circumstances frequently arise that prompt managers to seek exceptions to these general operating procedures. Contact your human resources consultant for more information.
A. **Compelling Justification** – Below are examples of compelling justifications for offering nonpermanent appointments to retired state employees:

1. The difficulty the department has recently experienced locating individuals who are willing to accept work on a contingency or “on call” basis.

2. The need to appoint an individual who is capable of stepping in with little or no training to fill in for an absent permanent employee.

3. The need for specialized skills or expertise not available from other employees.

B. **Authority to Approve** – Authority to approve PERS retiree appointment requests is at the executive level.

C. **Rules for PERS 1 Retiree Rehires**

1. Retirees who wait at least 30 calendar days after their effective retirement date, may work up to 867 hours in a calendar year and continue to receive full retirement. If the employee works more than the maximum number of hours allowed, their retirement benefit will be suspended for the remainder of the calendar year or until the employee terminates employment.

2. All hours for which an employee receives compensation will count towards the limit. This includes paid holidays, compensatory time, sick leave or annual leave taken in lieu of normal work hours. Annual leave that is cashed out at the end of an employment period does not count toward the limit. Cashed out compensatory time is factored toward the limit.

D. **Rules for PERS 2 and 3 Retiree Rehires**

1. If the retiree chose a normal retirement or early retirement using factors other than the 2008 Early Retirement Factors (ERF) and waits 30 consecutive calendar days after their effective retirement date, they may work up to 867 hours in a calendar year. Retirement benefits will be suspended once the retiree exceeds 867 hours in a calendar year. Pension benefits will resume following the retiree’s last day of employment, or at the beginning of the next calendar year, whichever comes first.

2. If the retiree chose to retire under the 2008 Early Retirement Factor (ERF), and has not yet reached the age of 65, the retiree cannot work for the agency in any capacity. If the retiree does return to work, they will not receive monthly pension benefits for any month in which they work. Their pension will restart the first day of the month after the retiree stops working. Once the retiree reaches the age of 65, they can work under the rules previously described in Section 22-5.1.D.1.
E. **Retiree Rehire Process**

1. All requests to hire a retiree must be made in writing. The Appointing Authority or their Human Resource Consultant must complete a Post-Retirement Justification Memo and submit it to a Headquarters Benefits Specialist for review and processing.

2. The retiree’s eligibility to return to work will be verified with DRS and a summary of the retiree’s employment history and the submitted justification will be provided to the Human Resource Director and Executive Staff for review. Information regarding the status of the request will then be routed back to the Appointing Authority and Human Resource Consultant.

Retirees should contact the Department of Retirement Systems for further information on the impact of re-employment on their retirement benefits.

22-5.2 **Volunteer Service Rules**

A. **Duties Description Memo** – The supervisor will compose a duties description outline in the memorandum format. The volunteer employee will read and sign acknowledging agreement with defined duties and also complete a Volunteer Worker Registration Form (Appendix 22-1).

B. **Human Resource Office** – The supervisor will forward a copy of the completed paperwork to their Human Resources consultant. The consultant will review the duties description memo and consult with the supervisor as needed. Once the human resources consultant has reviewed the memo, the supervisor will retain the original for future reference with the volunteer. A copy will be sent to the Talent Acquisition Unit to be saved as a record.

C. **Worker’s Compensation for Volunteers** – While performing voluntary service, the volunteer is entitled to full coverage for medical treatment necessitated by a service-related injury or illness under the Medical Aid Provisions of the Worker’s Compensation Act, which is administered by the Department of Labor and Industries. A volunteer is not covered for loss of time due to injury or illness, permanent disability or death.

D. **Documentation of Volunteer Work** – The supervisor must document the volunteer employee’s work hours by submitting a Volunteer Worker Time Sheet (Appendix 22-2) to the local payroll office. The time sheet must include the name, social security number/employee ID and number of hours volunteered. The local payroll office will forward the total amount of hours for each volunteer to the Headquarters Payroll Office L&I Payments Processor. The class code used for calculation of the medical aid premium for Worker’s Compensation will be 6901 as per WAC 296-17A-6901.
E. **Orientation for New Volunteers** – A new volunteer in many ways is treated like any new employee. The supervisor must follow the new employee orientation check list and:

1. Provide a safety overview of all potential safety issues for the position.
2. Obtain the volunteer’s signed verification that policies were read and reviewed.
3. Administer ethics training.

F. **Security and Access for New Volunteers** – Supervisors must:

1. Contact Information Technology to request access for the volunteer to Outlook and any other systems required for the volunteer to conduct business.
2. Arrange for key cards, keys, parking, and other access needs.

G. **Confidentiality Agreement** – A confidentiality agreement must be completed when volunteer may encounter confidential information. For an example, refer to the Human Resource Management System (HRMS) Confidentiality Agreement DOT Form 730-060.

### 22-6 Appendices

- **Appendix 22-1**  
  Volunteer Worker Registration Form
- **Appendix 22-2**  
  Volunteer Worker Time Sheet
Appendix 22-1  Volunteer Worker Registration Form

VOLUNTEER WORKER REGISTRATION

Personal Information
Name: ________________________________
Mailing Address: ________________________________
Telephone: ________________________________

In Case of Emergency, Please Notify:
Name: ________________________________  Telephone: ________________________________
Address: ________________________________

PROJECT INFORMATION

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<th>Project Location</th>
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Pursuant to RCW 51.12.035, Volunteers, I hereby register as a volunteer worker for the State of Washington, Department of Transportation. I acknowledge by my signature below that I will accept my responsibility as a WSDOT volunteer, and that I will comply with all policies and procedures outlined by WSDOT. I understand that I will not receive compensation for services rendered. I further understand that it is my obligation to obtain and maintain insurance if I use my private motor vehicle while serving as a WSDOT volunteer. Finally, I understand that monthly I must submit a Volunteer Worker Time Sheet with my hours worked as a WSDOT volunteer. Submitting hours worked for WSDOT is a requirement for medical aid coverage through the Department of Labor and Industries. Failure to document my time and submit monthly time sheets may make me ineligible to receive such medical aid coverage.

Signed: ________________________________  Dated: ________________________________

Parental Signature: ________________________________  Dated: ________________________________
(Required if under 18 years)
## Appendix 22-2

### Volunteer Worker Time Sheet

**VOLUNTEER WORKER TIME SHEET**

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**Supervisor Name & Signature**

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