

Temp Rules Changes | Rules summary

WHAT PROMPTED THE CHANGE?

- In 2018, [House Bill 2669](#) removed “part-time” as exempt from state civil service law ([RCW 41.06](#)).
- This change forced a redefinition of “temporary” to cover more employees under state civil service law. The Office of Financial Management State Human Resources division began [rulemaking](#) in 2018 and finalized rules in 2021.
- Under [RCW 41.06.070](#), “temporary” employees are defined by the State HR Director and remain exempt from state civil service.
- Being “civil service covered” means covered by state civil service law ([RCW 41.06](#)) and rules of classified employment are either covered by WAC 357 (classified non-union) or a classified collective bargaining agreement.

WHY ARE WE MAKING THIS CHANGE?

- Temporary hourly staff (per diems are “temporary”) are defined in [WAC 357-04-045](#) and are exempt from civil service when they work 1,050 hours in a 12-month period from the anniversary of their original date of temporary employment.
- Effective July 1, 2022, “temporary” is defined as working 1,050 hours in a single, lifetime 12-month period that begins from the original date of hire or July 1, 2022 (whichever is later). Additionally, the rules do not allow for reappointment to a subsequent temporary appointment and remove the ability to ask OFM for exemptions to the 1,050-hour or 12-month limit.
- Without a change, the definition of “temporary” applies on July 1, 2022, and once a temporary hourly employee hits 1,050 or 12 months, UW cannot continue to employ them in the “temporary” employment type.
- Likewise, PERC is proposing changing [WAC 391-35-350](#) defining bargaining unit placement of regular part-time employees and excluding “temporary” from inclusion because they do not have an ongoing expectation of employment.

WHAT IS THE CHANGE?

- UW will transition temporary hourly employees to a new type of employment called “nonpermanent.” This is a type of employment already in use in classified employment and is civil service covered. While the WAC does not apply to contract classified employees (only to classified non-union employees), UW is adopting its use. Nonpermanent employment was previously a type of employment available only to general government employers ([WAC 357-01-210](#)).
- Nonpermanent employees are defined in [WAC 357-19-360](#), “For what reasons may an employer make nonpermanent appointments?” UW is calling reasons 1-4 “nonpermanent” as they are limited in duration under [WAC 357-19-370](#); while still “nonpermanent, UW is branding reason 5 “intermittent” since the time limit does not apply.

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HUMAN RESOURCES