

**WAC 357-28-095 Can an employer authorize additional pay to support recruitment and/or retention of a position?** (1) Employers may authorize additional pay to support the recruitment or retention of the incumbent or candidate for a **specific position**. At the employer's discretion, up to a fifteen percent premium may be added to the employee's base salary or paid on a lump sum basis as described in subsection (2). An employee may not receive more than fifteen percent of his/her annual base salary over a twelve month period under the provisions of this section.

(2) In advance of authorizing a lump sum recruitment or retention payment, employers must establish express conditions in writing for the payment. The conditions must include a specified period of employment or continued employment. Any lump sum payment under this section must only be made after services have been rendered in accordance with conditions established by the employer and become part of the employee's annual compensation for work performed prior to receipt of any funds.

(3) Any additional pay granted under this section is a premium that is not part of base salary. The premium is to be used only as long as the circumstances it is based on are in effect.

[Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. WSR 19-11-136, § 357-28-095, filed 5/22/19, effective 7/1/19. Statutory Authority: Chapter 41.06 RCW. WSR 05-01-205, § 357-28-095, filed 12/21/04, effective 7/1/05.]