WAC 357-28-185 What is the requirement for employers to compensate employees for being called back to work? (1) If an overtime-eligible employee has finished the work shift and has left the worksite or is in paid leave status and is called to return to work outside of regularly scheduled hours to handle emergency situations which could not be anticipated, a minimum of two hours' pay must be guaranteed. The minimum of two hours of pay and any hours worked in excess of two hours must be compensated in accordance with WAC 357-28-255 if applicable.

(2) An employee on standby status called to return to work does not qualify for callback pay.

(3) The appointing authority may cancel a callback notification to work extra hours at any time, but cancellation must not waive the guarantee of two hours of callback pay.

(4) Overtime-exempt employees and employees assigned to the law enforcement overtime eligibility designation are not paid for being called back to work unless the employer authorizes payment.

(5) Compensation under the provisions of this section must be in accordance with the employer's salary determination policy, as approved by the director, for the following individuals:

(a) Employees dispatched to emergency response duty under an incident command system as defined in RCW 38.52.010; and

(b) Employees of the department of corrections who are in charge of offenders assigned to assist in forest fire suppression and other emergency incidents.

[Statutory Authority: RCW 41.06.133. WSR 26-08-084, s 357-28-185, filed 3/31/26, effective 5/1/26. Statutory Authority: Chapter 41.06 RCW. WSR 05-01-205, § 357-28-185, filed 12/21/04, effective 7/1/05.]