Chapter 357-40 WAC
DISCIPLINE

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WAC

357-40-010 Can an appointing authority take disciplinary action?
357-40-015 Can an appointing authority take action other than dismissal, suspension, demotion or reduction in base salary to address unsatisfactory performance?
357-40-020 When must an employee be notified of a demotion or reduction in base salary?
357-40-025 What must be in the written notice of dismissal, demotion, or reduction in base salary?
357-40-030 What notice is required to dismiss an employee?
357-40-035 When must an employee be notified of a suspension?
357-40-040 What must be in the written notice of suspension?
357-40-045 Is there a limitation to how long an employee can be suspended?
357-40-050 How must notice of disciplinary action be provided to an employee?

WAC 357-40-010 Can an appointing authority take disciplinary action? An appointing authority may dismiss, suspend without pay, demote, or reduce the base salary of a permanent employee under the appointing authority's jurisdiction for just cause.

[Statutory Authority: RCW 41.06.133. WSR 26-08-085, s 357-40-010, filed 3/31/26, effective 5/1/26. Statutory Authority: Chapter 41.06 RCW. WSR 04-18-113, § 357-40-010, filed 9/1/04, effective 7/1/05.]

WAC 357-40-015 Can an appointing authority take action other than dismissal, suspension, demotion or reduction in base salary to address unsatisfactory performance? Employers may develop a corrective discipline policy that identifies actions that an appointing authority may take other than dismissal, suspension, demotion, or reduction in base salary, that represent alternative formal measures that do not deprive an employee of pay, yet still help an employee address unsatisfactory performance. Actions taken by an appointing authority in accordance with the employer's corrective discipline policy carry the same weight as disciplinary actions which impact pay.

[Statutory Authority: Chapter 41.06 RCW. WSR 04-18-113, § 357-40-015, filed 9/1/04, effective 7/1/05.]

WAC 357-40-020 When must an employee be notified of a demotion or reduction in base salary? The appointing authority must notify an employee in writing at least fifteen (15) calendar days before the effective date of the demotion or reduction in base salary.

[Statutory Authority: Chapter 41.06 RCW. WSR 04-18-113, § 357-40-020, filed 9/1/04, effective 7/1/05.]

WAC 357-40-025 What must be in the written notice of dismissal, demotion, or reduction in base salary? The notice must include the specific charge(s) and the employee's right to appeal to the board as provided in chapter 357-52 WAC.

[Statutory Authority: Chapter 41.06 RCW. WSR 04-18-113, § 357-40-025, filed 9/1/04, effective 7/1/05.]

WAC 357-40-030 What notice is required to dismiss an employee? An appointing authority may dismiss an employee with fifteen (15) calendar days' written notice or without fifteen (15) calendar days' notice as follows:

(1) An appointing authority may dismiss an employee effective immediately with pay in lieu of the fifteen (15) calendar days' notice period. As required by WAC 357-40-025 the appointing authority must still provide written notice of the specific charge(s) and the employee's rights to appeal to the board as provided in chapter 357-52 WAC.

(2) An appointing authority may dismiss an employee effective immediately without pay in lieu of the fifteen (15) calendar days' notice period if the appointing authority determines that continued employment of the employee jeopardizes the good of the service. The appointing authority must provide written notice of the immediate dismissal stating the reason(s) for dismissal, the reasons immediate action is necessary, and the employee's right to appeal to the board as provided in chapter 357-52 WAC.

[Statutory Authority: Chapter 41.06 RCW. WSR 04-18-113, § 357-40-030, filed 9/1/04, effective 7/1/05.]

WAC 357-40-035 When must an employee be notified of a suspension? An employee being suspended must be notified in writing no later than one day after the suspension takes effect.

[Statutory Authority: Chapter 41.06 RCW. WSR 04-18-113, § 357-40-035, filed 9/1/04, effective 7/1/05.]

WAC 357-40-040 What must be in the written notice of suspension? The suspension notice must include the specific charge(s) and the duration of the suspension. It must also include the employee's right to appeal to the board as provided in chapter 357-52 WAC.

[Statutory Authority: Chapter 41.06 RCW. WSR 04-18-113, § 357-40-040, filed 9/1/04, effective 7/1/05.]

WAC 357-40-045 Is there a limitation to how long an employee can be suspended? An appointing authority may not suspend without pay a permanent employee for more than fifteen calendar days as a single penalty or more than thirty calendar days in any one calendar year as an accumulation of several penalties.

[Statutory Authority: Chapter 41.06 RCW. WSR 04-18-113, § 357-40-045, filed 9/1/04, effective 7/1/05.]

WAC 357-40-050 How must notice of disciplinary action be provided to an employee? Notice of dismissal, suspension, demotion, or reduction in base salary must be provided by personal service or certified letter through the United States mail. Service of notice will be regarded as completed when personal delivery has been accomplished; or upon deposit of a certified letter in the United States mail properly stamped and addressed to the employee's last known home address.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-12-079, § 357-40-050, filed 5/27/05, effective 7/1/05.]