Chapter 357-16 WAC
RECRUITMENT, ASSESSMENT, AND CERTIFICATION

Last Update: 8/28/26

WAC

357-16-005 What is the department of enterprise services' role in recruiting applicants and assessing candidates for positions in the classified service?
357-16-010 What authority do general government employers have to recruit applicants, assess candidates, and certify candidates for hiring consideration?
357-16-015 What authority do higher education employers have to recruit applicants, assess candidates, and certify candidates for hiring consideration?
357-16-017 When must an employer disclose the salary range, management band, or fixed wage, and other compensation and a description of benefits for a position?
357-16-020 Who is responsible for determining what recruitment methods are appropriate to meet the hiring needs of the employer?
357-16-030 For affirmative action purposes, may employers add job seekers who are affected group members to applicant pools?
357-16-055 Can an employer establish promotional organizational units?
357-16-060 Must employers use a standardized application form when recruiting?
357-16-065 How does an applicant affirm that an application is complete and that the information in the application is truthful?
357-16-070 What screening methodologies may employers use?
357-16-075 Can the employer apply screening methodologies that would limit the number of eligible applicants considered or admitted to an examination?
357-16-085 What are the requirements for developing and administering examinations?
357-16-090 Who has the responsibility for requesting and granting reasonable accommodation in the examination process?
357-16-095 How must exams be scored?
357-16-105 Must an employee be granted leave with pay to take an examination or participate in an interview during scheduled work hours?
357-16-110 Do veterans and members of the uniformed services receive any preference in the hiring process?
357-16-113 When may an agency head or higher education institution president consider granting preference to eligible applicants in the hiring process?
357-16-115 Can an employer decline to further consider eligible applicants or candidates during the assessment process?
357-16-120 How does the employer determine which eligible candidates to certify to the employing official for hiring consideration?
357-16-125 What must be specified in the employer's certification procedure?
357-16-130 In what order are eligible candidates certified to the employing official for hiring consideration?
357-16-135 When may an employer certify candidates for affirmative action purposes?
357-16-140 Who may be certified using supplemental certification?
357-16-150 Must employers develop a promotional policy?
357-16-155 Can an individual's name be removed from an applicant or candidate pool for a class or all classes in a class series?
357-16-157 Is an individual's name removed from applicant and/or candidate pools when the individual is appointed to a position?
357-16-160 Must an applicant or candidate who has been removed for good and sufficient reason per WAC 357-16-155 be notified of the removal?
357-16-170 Can an applicant or candidate request a review of their examination results or the removal of their name from an applicant or candidate pool?
357-16-175 When must an applicant or candidate request a review of the results of an examination or removal from an applicant or candidate pool?
357-16-177 What procedure must an employer use to review an applicant's or candidate's examination results or the removal of the applicant's or candidate's name from an applicant or candidate pool under the provisions of WAC 357-16-170?
357-16-180 Are assessment review decisions subject to appeal?
357-16-190 What happens if an individual is certified in error?
357-16-195 Can an eligible candidate be required to pass a medical or psychological examination?
357-16-200 If a medical or psychological examination is required, who pays for it?
357-16-205 If a job-related disability is revealed during a medical or psychological examination what is the employer's responsibility?
357-16-215 May an employer seek the wage or salary history of an individual for employment?
357-16-220 May an employer confirm an individual's wage or salary history?

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

357-16-025 How must employers and the department inform prospective applicants of recruitments? [Statutory Authority: Chapter 41.06 RCW. WSR 10-11-072, § 357-16-025, filed 5/14/10, effective 7/1/10; WSR 07-23-009, § 357-16-025, filed 11/8/07, effective 12/11/07; WSR 06-19-065, § 357-16-025, filed 9/19/06, effective 10/20/06; WSR 05-01-200, § 357-16-025, filed 12/21/04, effective 7/1/05.] Repealed by WSR 11-23-054, filed 11/10/11, effective 12/13/11. Statutory Authority: Chapter 41.06 RCW.

357-16-040 What is the college recruitment program? [Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-040, filed 12/21/04, effective 7/1/05.] Repealed by WSR 16-05-059, filed 2/12/16, effective 3/14/16. Statutory Authority: Chapter 41.06 RCW.

357-16-045 What is the purpose of the college recruitment program? [Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-045, filed 12/21/04, effective 7/1/05.] Repealed by WSR 16-05-059, filed 2/12/16, effective 3/14/16. Statutory Authority: Chapter 41.06 RCW.

357-16-050 How does the college recruitment program operate? [Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-050, filed 12/21/04, effective 7/1/05.] Repealed by WSR 16-05-059, filed 2/12/16, effective 3/14/16. Statutory Authority: Chapter 41.06 RCW.

357-16-100 Must employers make final examination results available to an applicant? [Statutory Authority: Chapter 41.06 RCW. WSR 06-19-065, § 357-16-100, filed 9/19/06, effective 10/20/06; WSR 05-01-200, § 357-16-100, filed 12/21/04, effective 7/1/05.] Repealed by WSR 10-11-072, filed 5/14/10, effective 7/1/10. Statutory Authority: Chapter 41.06 RCW.

357-16-197 Must an employer require an eligible candidate to provide proof of being fully vaccinated? [Statutory Authority: RCW 41.06.133 and 41.06.150. WSR 22-20-091, § 357-16-197, filed 10/4/22, effective 11/4/22.] Repealed by WSR 23-17-005, filed 8/3/23, effective 9/7/23. Statutory Authority: RCW 41.06.133 and 41.06.150.

WAC 357-16-005 What is the department of enterprise services' role in recruiting applicants and assessing candidates for positions in the classified service? On the behalf of employers, the department of enterprise services may recruit applicants, assess candidates, create candidate pools, and assist with the certification of candidates for positions in the classified service.

[Statutory Authority: Chapter 41.06 RCW. WSR 11-23-054, § 357-16-005, filed 11/10/11, effective 12/13/11; WSR 05-01-200, § 357-16-005, filed 12/21/04, effective 7/1/05.]

WAC 357-16-010 What authority do general government employers have to recruit applicants, assess candidates, and certify candidates for hiring consideration? Under the authority of the director, general government employers may carry out the activities detailed in chapter 357-16 WAC including recruiting, creating and maintaining pools of eligible candidates, assessing candidates, and determining the certified pool. At anytime, the director may designate the department of enterprise services to carry out any of these activities on the employer's behalf.

[Statutory Authority: Chapter 41.06 RCW. WSR 11-23-054, § 357-16-010, filed 11/10/11, effective 12/13/11; WSR 05-01-200, § 357-16-010, filed 12/21/04, effective 7/1/05.]

WAC 357-16-015 What authority do higher education employers have to recruit applicants, assess candidates, and certify candidates for hiring consideration? Higher education employers are authorized under RCW 41.06.133 and 41.06.150 to carry out the activities detailed in chapter 357-16 WAC including recruiting, creating and maintaining pools of eligible candidates, assessing candidates, and determining the certified pool.

[Statutory Authority: Chapter 41.06 RCW. WSR 11-23-054, § 357-16-015, filed 11/10/11, effective 12/13/11; WSR 05-01-200, § 357-16-015, filed 12/21/04, effective 7/1/05.]

WAC 357-16-017 When must an employer disclose the salary range, management band, or fixed wage, and other compensation and a description of benefits for a position? In accordance with RCW 49.58.110, an employer must disclose the salary range or management band, except where the employer is offering only a fixed wage amount, the employer must disclose the fixed wage amount rather than a salary range or management band, in the following circumstances:

(1) In each job posting which includes a general description of all the benefits and other compensation; and

(2) Upon request of a current employee who is offered an appointment to another position.

(3) For the purposes of this section:

(a) "Employer" also includes those employers with fewer than 15 employees;

(b) "Salary range" includes Step M; and

(c) "Management band" is the most reasonable and genuinely expected range that an agency has identified within their salary administration policy for Washington management services.

[Statutory Authority: RCW 41.06.150 and 49.58.110. WSR 25-24-062, s 357-16-017, filed 12/1/25, effective 1/1/26. Statutory Authority: RCW 41.06.133, 41.06.150, 49.58.100, and 49.58.110. WSR 23-24-024, § 357-16-017, filed 11/28/23, effective 1/1/24. Statutory Authority: Chapter 41.06 RCW, RCW 49.58.100 and 49.58.110. WSR 20-06-009, § 357-16-017, filed 2/20/20, effective 3/30/20.]

WAC 357-16-020 Who is responsible for determining what recruitment methods are appropriate to meet the hiring needs of the employer? Employers may use the recruiting methods that they determine to be most appropriate for their hiring needs when soliciting job seekers or establishing pools of eligible applicants.

[Statutory Authority: Chapter 41.06 RCW. WSR 11-23-054, § 357-16-020, filed 11/10/11, effective 12/13/11; WSR 05-01-200, § 357-16-020, filed 12/21/04, effective 7/1/05.]

WAC 357-16-030 For affirmative action purposes, may employers add job seekers who are affected group members to applicant pools? For affirmative action purposes, employers may at any time recruit and screen persons with disabilities, Vietnam era veterans, disabled veterans, and persons age forty and over for placement in eligible applicant pools in those areas where goals exist.

[Statutory Authority: Chapter 41.06 RCW. WSR 11-23-054, § 357-16-030, filed 11/10/11, effective 12/13/11; WSR 05-01-200, § 357-16-030, filed 12/21/04, effective 7/1/05.]

WAC 357-16-055 Can an employer establish promotional organizational units? Employers may establish promotional organizational units for purposes of promotional recruitment and hiring. Employers may limit who can apply to employees within one or more promotional organizational units by specifying that on the recruitment notice.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-055, filed 12/21/04, effective 7/1/05.]

WAC 357-16-060 Must employers use a standardized application form when recruiting? General government employers must use the standard application for employment prescribed by the director or an application form approved by the director. Higher education employers may develop their own application forms without director approval.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-188, § 357-16-060, filed 12/21/04, effective 7/1/05.]

WAC 357-16-065 How does an applicant affirm that an application is complete and that the information in the application is truthful? If the materials are submitted on paper, the job seeker's signature affirms that the information submitted is complete and truthful. If the materials are submitted electronically, the act of submitting them is considered affirmation that the information is complete and truthful.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-065, filed 12/21/04, effective 7/1/05.]

WAC 357-16-070 What screening methodologies may employers use? Employers may use the screening methods that they determine best evaluate a person's competencies to perform the duties and responsibilities of a class and/or a position. Screening methods must be based upon job analysis and may include, but are not limited to, reviewing resumes, interviewing applicants, and developing supplemental questionnaires for applicants to provide additional information.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-070, filed 12/21/04, effective 7/1/05.]

WAC 357-16-075 Can the employer apply screening methodologies that would limit the number of eligible applicants considered or admitted to an examination? When the number of job seekers is expected to result in a number of eligible applicants that exceeds the employer's needs or the number of eligible applicants is expected to result in a pool of candidates that exceeds the employer's needs, the employer may apply screening methods to limit the number of eligible applicants to be considered further or admitted to an examination.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-075, filed 12/21/04, effective 7/1/05.]

WAC 357-16-085 What are the requirements for developing and administering examinations? Examinations must be based upon documented job analysis that identifies the competencies needed to perform successfully in a position. Any examination must be administered uniformly to those individuals being examined unless reasonable accommodation in the examination process has been requested and granted. A person with a visible disability which might interfere with their ability to do the job may be asked to demonstrate how the person would do specific job-related tasks.

[Statutory Authority: RCW 41.06.133. WSR 26-08-085, s 357-16-085, filed 3/31/26, effective 5/1/26. Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-085, filed 12/21/04, effective 7/1/05.]

WAC 357-16-090 Who has the responsibility for requesting and granting reasonable accommodation in the examination process? An applicant or candidate who needs reasonable accommodation in the examination process is responsible for requesting reasonable accommodation. The employer is responsible for providing reasonable accommodation unless the employer can demonstrate undue hardship. The employer must publish information regarding the procedure for requesting accommodation.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-090, filed 12/21/04, effective 7/1/05.]

WAC 357-16-095 How must exams be scored? Examinations must be scored using a consistent rating or scoring procedure that rates job-related competencies identified through job analysis.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-095, filed 12/21/04, effective 7/1/05.]

WAC 357-16-105 Must an employee be granted leave with pay to take an examination or participate in an interview during scheduled work hours? In accordance with WAC 357-31-325, an employee must be granted leave with pay to take an examination or participate in an interview during scheduled work hours when applying or being considered for a position with a state agency, higher education institution or related higher education board.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-21-054, § 357-16-105, filed 10/13/05, effective 11/15/05; WSR 05-01-200, § 357-16-105, filed 12/21/04, effective 7/1/05.]

WAC 357-16-110 Do veterans and members of the uniformed services receive any preference in the hiring process? (1) If an employer is administering an examination prior to certification, the employer must grant preference to veterans and members of the uniformed services in accordance with the veterans scoring criteria provisions of RCW 41.04.010. Veterans' scoring criteria is only added to passing scores.

(2) If no examination is administered prior to certification, the employer must refer the following individuals to the employing official under the provisions of RCW 73.16.010 as long as the individual meets the competencies and other position requirements:

(a) Eligible veterans with a qualifying discharge;

(b) Surviving spouses or registered domestic partners of eligible veterans with a qualifying discharge; or

(c) Spouses or registered domestic partners of active duty service members and veterans with a qualifying discharge who have a service-connected permanent and total disability.

[Statutory Authority: RCW 41.06.133, 41.04.010, 73.16.031, and 73.16.010. WSR 26-18-045, s 357-16-110, filed 8/28/26, effective 10/1/26. Statutory Authority: RCW 41.06.133 and 73.04.055. WSR 24-18-068, § 357-16-110, filed 8/29/24, effective 10/1/24. Statutory Authority: Chapter 41.06 RCW. WSR 09-17-057 and 09-18-112, § 357-16-110, filed 8/13/09 and 9/2/09, effective 12/3/09; WSR

05-12-077, § 357-16-110, filed 5/27/05, effective 7/1/05; WSR 05-01-200, § 357-16-110, filed 12/21/04, effective 7/1/05.]

WAC 357-16-113 When may an agency head or higher education institution president consider granting preference to eligible applicants in the hiring process? (1) An agency head or higher education institution president may consider granting preference to eligible applicants in the hiring process if administering an examination prior to certification for any of the following qualifications in accordance with RCW 41.04.012:

(a) Ten percent to an applicant who has obtained full professional proficiency or who is completely fluent as a native speaker in two or more languages other than English;

(b) Five percent to an applicant who has obtained full professional proficiency or who is completely fluent as a native speaker in one language other than English;

(c) Five percent to an applicant with two or more years of professional experience or volunteer experience in the Peace Corps, AmeriCorps, domestic violence counseling, mental or behavioral health care, homelessness programs, or other social services professions; and

(d) Five percent to an applicant who has obtained an associate of arts or science degree or higher degree.

(2) The preference granted under this section may not be aggregated to exceed more than 15 percent of the applicant's examination score, shall be added to the passing mark, grade, or rating of competitive examinations until the applicant's first appointment, and may not be used in promotional examinations.

(3) For purposes of this section "full professional fluency" and "native speaker" have the same meaning as in RCW 41.04.012.

[Statutory Authority: RCW 41.06.150 and 41.04.012. WSR 24-18-071, § 357-16-113, filed 8/29/24, effective 10/1/24.]

WAC 357-16-115 Can an employer decline to further consider eligible applicants or candidates during the assessment process? Employers may end consideration of an eligible applicant or candidate at any time during the assessment process for job-related reasons including, but not limited to, an applicant or candidate lacking required competencies, or not satisfying other requirements such as shift or geographical availability. Those applicants or candidates removed from consideration for position specific reasons may remain eligible to be considered for other positions.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-115, filed 12/21/04, effective 7/1/05.]

WAC 357-16-120 How does the employer determine which eligible candidates to certify to the employing official for hiring consideration? Each employer must have a written certification procedure that specifies how the employer will determine the pool of eligible candidates to be certified to the employing official.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-120, filed 12/21/04, effective 7/1/05.]

WAC 357-16-125 What must be specified in the employer's certification procedure? The employer's certification procedure must:

(1) Specify how the employer determines the pool of eligible candidates to be certified to the employing official in accordance with WAC 357-16-130;

(2) Specify how the employer determines the number of names certified if the number of eligible candidates certified to the employing official is limited;

(3) Provide for veterans' preference in accordance with WAC 357-16-110;

(4) Provide for supplemental certification of affected group members in accordance with WAC 357-16-135;

(5) Require that employing officials consider all eligible candidates certified;

(6) Provide for optional consideration of employees who have completed employer-approved training programs and are determined by the employer to meet the competencies and other position requirements;

(7) For general government employers, must provide for consideration of transition pool candidates when a certified pool contains eligible candidates other than candidates from the employer's internal or statewide layoff list or the employer's internal promotional eligibles;

(8) Address when the employer will certify qualified individuals seeking reemployment under the provisions of WAC 357-19-470; and

(9) Address when the employer will consider granting preference to eligible applicants under the provisions of WAC 357-16-113.

[Statutory Authority: RCW 41.06.150 and 41.04.012. WSR 24-18-071, § 357-16-125, filed 8/29/24, effective 10/1/24. Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-125, filed 12/21/04, effective 7/1/05.]

WAC 357-16-130 In what order are eligible candidates certified to the employing official for hiring consideration? Only eligible candidates who satisfy the competencies and other requirements of the position to be filled will be certified. The order for certifying must follow these criteria:

(1) If there are names on the employer's internal layoff list for the class, all eligible candidates on the internal layoff list are certified to the employing official. Internal promotional candidates, as defined by the employer's promotional policy, may also be certified.

(2) If there are no names on the internal layoff list, the employer:

(a) Must certify all statewide layoff candidates who satisfy the competencies and other position requirements.

(b) May then certify other available eligible candidates. Any preference granted to promotional candidates must be in accordance with the employer's promotional policies as required by WAC 357-16-150.

(3) General government employers must certify transition pool candidates, who satisfy the competencies and other position requirements, when a certified pool contains eligible candidates other than layoff or internal promotional candidates.

[Statutory Authority: Chapter 41.06 RCW. WSR 06-03-073, § 357-16-130, filed 1/12/06, effective 2/13/06; WSR 05-12-083, § 357-16-130, filed 5/27/05, effective 7/1/05; WSR 05-01-200, § 357-16-130, filed 12/21/04, effective 7/1/05.]

WAC 357-16-135 When may an employer certify candidates for affirmative action purposes? An employer may use supplemental certification to add to the certified pool when:

(1) Per the employer's certification procedure, the number of eligible candidates being certified is fewer than the total number of candidates eligible for certification;

(2) The employer's approved affirmative action plan shows that a goal exists in the job category for the particular affected group; and

(3) There are no individuals on the internal layoff list for the class who satisfy the competencies and other position requirements for the position.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-21-061, § 357-16-135, filed 10/13/05, effective 11/15/05; WSR 05-16-043, § 357-16-135, filed 7/27/05, effective 9/1/05; WSR 05-01-200, § 357-16-135, filed 12/21/04, effective 7/1/05.]

WAC 357-16-140 Who may be certified using supplemental certification? Supplemental certification may apply to eligible goal area candidates who meet the competencies and other position requirements and are members of the affected groups of persons with disabilities, Vietnam era veterans, disabled veterans, or persons of age forty and over.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-140, filed 12/21/04, effective 7/1/05.]

WAC 357-16-150 Must employers develop a promotional policy? Each employer must have a written promotional policy which:

(1) Defines who is considered a promotional candidate, including whether probationary employees and permanent employees who have left the employer to accept project or nonpermanent appointments with other employers are considered as promotional candidates;

(2) Identifies the employer's promotional organizational units, if any;

(3) Identifies how promotional preference will be applied in recruitment and certification, if at all; and

(4) Specifies the duration of any promotional candidate lists or pools.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-150, filed 12/21/04, effective 7/1/05.]

WAC 357-16-155 Can an individual's name be removed from an applicant or candidate pool for a class or all classes in a class series? An employer may disqualify an individual by removing the individual's name from an applicant and/or candidate pool for a class or

all classes in a class series at any time for good and sufficient reason.

[Statutory Authority: Chapter 41.06 RCW. WSR 16-11-058, § 357-16-155, filed 5/13/16, effective 6/20/16; WSR 11-23-054, § 357-16-155, filed 11/10/11, effective 12/13/11; WSR 09-11-063, § 357-16-155, filed 5/14/09, effective 6/16/09; WSR 05-01-200, § 357-16-155, filed 12/21/04, effective 7/1/05.]

WAC 357-16-157 Is an individual's name removed from applicant and/or candidate pools when the individual is appointed to a position? An individual's name may be removed from the applicant and/or candidate pool for the class to which the individual is appointed, and all lower classes in the same class series.

[Statutory Authority: RCW 41.06.133. WSR 26-08-085, s 357-16-157, filed 3/31/26, effective 5/1/26. Statutory Authority: Chapter 41.06 RCW. WSR 10-11-072, § 357-16-157, filed 5/14/10, effective 7/1/10; WSR 09-11-063, § 357-16-157, filed 5/14/09, effective 6/16/09; WSR 06-03-071, § 357-16-157, filed 1/12/06, effective 2/13/06.]

WAC 357-16-160 Must an applicant or candidate who has been removed for good and sufficient reason per WAC 357-16-155 be notified of the removal? When an applicant or candidate is removed from an applicant or candidate pool for good and sufficient reason per WAC 357-16-155, the employer must notify the applicant or candidate at the time of the removal. The notice must be in writing and specify the reason for the removal. The notice must explain the right to request a review of the removal under the provisions of WAC 357-16-170, 357-16-175 and 357-16-180. For purposes of this rule, written notice may be provided using alternative methods such as email, campus mail, the state mail service, or commercial parcel delivery in accordance with WAC 357-04-105.

[Statutory Authority: Chapter 41.06 RCW. WSR 16-11-058, § 357-16-160, filed 5/13/16, effective 6/20/16; WSR 11-23-054, § 357-16-160, filed 11/10/11, effective 12/13/11; WSR 06-03-071, § 357-16-160, filed 1/12/06, effective 2/13/06; WSR 05-01-200, § 357-16-160, filed 12/21/04, effective 7/1/05.]

WAC 357-16-170 Can an applicant or candidate request a review of their examination results or the removal of their name from an applicant or candidate pool? An applicant or candidate may request a review of their examination results or the removal of their name from an applicant or candidate pool when the removal is due to good and sufficient reason under the provisions of WAC 357-16-155.

[Statutory Authority: Chapter 41.06 RCW. WSR 16-11-058, § 357-16-170, filed 5/13/16, effective 6/20/16; WSR 06-03-071, § 357-16-170, filed 1/12/06, effective 2/13/06; WSR 05-01-187, § 357-16-170, filed 12/21/04, effective 7/1/05.]

WAC 357-16-175 When must an applicant or candidate request a review of the results of an examination or removal from an applicant or candidate pool? If an applicant or candidate requests a review of the results of an examination or removal from an applicant or candidate pool, the request must be received at the employer's office within twenty calendar days following notice of the action for which a review is requested.

[Statutory Authority: Chapter 41.06 RCW. WSR 16-11-058, § 357-16-175, filed 5/13/16, effective 6/20/16; WSR 11-23-054, § 357-16-175, filed 11/10/11, effective 12/13/11; WSR 05-01-187, § 357-16-175, filed 12/21/04, effective 7/1/05.]

WAC 357-16-177 What procedure must an employer use to review an applicant's or candidate's examination results or the removal of the applicant's or candidate's name from an applicant or candidate pool under the provisions of WAC 357-16-170? Each employer must develop a review procedure that specifies the procedure the employer will use to review an applicant's or candidate's examination results or name removal from a pool. The procedure must minimally specify that the review will be conducted by a representative of the employer that was not involved in the action under review.

[Statutory Authority: RCW 41.06.133. WSR 26-08-085, s 357-16-177, filed 3/31/26, effective 5/1/26. Statutory Authority: Chapter 41.06 RCW. WSR 05-01-188, § 357-16-177, filed 12/21/04, effective 7/1/05.]

WAC 357-16-180 Are assessment review decisions subject to appeal? Review decisions made under the provisions of WAC 357-16-170 are final and not subject to further review or appeal.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-187, § 357-16-180, filed 12/21/04, effective 7/1/05.]

WAC 357-16-190 What happens if an individual is certified in error? The director or the employer may invalidate the trial service or probationary appointment of an individual who was not eligible to be certified, but was certified in error.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-190, filed 12/21/04, effective 7/1/05.]

WAC 357-16-195 Can an eligible candidate be required to pass a medical or psychological examination? After a conditional offer of employment is made, an eligible candidate may be required to pass a medical or psychological examination relevant to the demands of the work.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-195, filed 12/21/04, effective 7/1/05.]

WAC 357-16-200 If a medical or psychological examination is required, who pays for it? The employer is responsible for the cost of any medical or psychological examination required under WAC 357-16-195.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-200, filed 12/21/04, effective 7/1/05.]

WAC 357-16-205 If a job-related disability is revealed during a medical or psychological examination what is the employer's responsibility? If a medical or psychological examination reveals a job-related disability and the candidate is otherwise qualified, the employer must consider ways to provide reasonable accommodation for the disability before making an appointment decision.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-200, § 357-16-205, filed 12/21/04, effective 7/1/05.]

WAC 357-16-215 May an employer seek the wage or salary history of an individual for employment? In accordance with RCW 49.58.100, an employer may not:

(1) Seek the wage or salary history of an individual applying for employment, including current employees, from the individual or the individual's current or former employer; or

(2) Require that an individual's prior wage or salary history meet certain criteria, except as provided in WAC 357-16-220.

For the purposes of this section "employer" also includes those employers with fewer than fifteen employees.

[Statutory Authority: Chapter 41.06 RCW, RCW 49.58.100 and 49.58.110. WSR 20-06-009, § 357-16-215, filed 2/20/20, effective 3/30/20.]

WAC 357-16-220 May an employer confirm an individual's wage or salary history? In accordance with RCW 49.58.100, an employer may confirm an individual's wage or salary history if:

(1) The individual has voluntarily disclosed their wage or salary history; or

(2) After the employer has negotiated an offer and made an offer of employment including compensation to the individual. Negotiation includes an offer of employment with compensation by the employer and acceptance of the offer by the applicant.

For the purposes of this section "employer" also includes those employers with fewer than 15 employees.

[Statutory Authority: RCW 41.06.133, 41.06.150, 49.58.100, and 49.58.110. WSR 23-24-024, § 357-16-220, filed 11/28/23, effective 1/1/24. Statutory Authority: Chapter 41.06 RCW, RCW 49.58.100 and 49.58.110. WSR 20-06-009, § 357-16-220, filed 2/20/20, effective 3/30/20.]