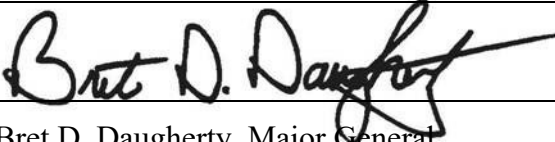




**Department Policy No. DIR-011-13**

<b>Title:</b>	Delegated Authorities for Business Processes
<b>Former Number:</b>	Supersedes WMD Delegation Letters
<b>Authorizing Source:</b>	US Code Title 32 § 328 (Active Guard and Reserve Duty: Governor's Authority) US Code Title 32 § 502 (Required Drills and Field Exercises) NGR 5-1 38.04.020 RCW 38.38.240 RCW 38.40.030 RCW 38.52.010 RCW 39.26.090 RCW 41.06.150 RCW WAC 357-04-090 WAC 357-04-055 WAC 357-16-010 WAC 357-19-005 WAC 357-19-305 WAC 357-19-360 WAC 357-58-185 WAC 357-28-200 WAC 357-58-170 DES Policy # DES-090-00 (Delegation of Authority)
<b>Information Contact:</b>	The Chief of Staff Building #1 (253) 512-8001
<b>Effective Date</b>	February 1, 2013
<b>Mandatory Review Date:</b>	March 15, 2028
<b>Revised:</b>	March 15, 2024
<b>Approved By:</b>	 Bret D. Daugherty, Major General The Adjutant General Washington Military Department Director

## **Purpose**

United States Code (USC), the Revised Code of Washington (RCW), and the Washington Administrative Code (WAC) assign to state agency directors certain authorities and responsibilities. State agency directors may delegate ministerial or administrative actions, such as the execution of a function or action required by statute or rule, but may not delegate discretionary functions (i.e., those responsibilities imposed on the director by the governor or Legislature that require the exercise of judgment or discretion).

This policy identifies the executive management positions within the Washington Military Department (WMD) that have delegated authority to perform certain acts on behalf of the WMD and to assist the WMD director execute and administer state business functions.

## **Scope**

This policy delegates authority for certain responsibilities assigned in RCW or federal regulations to the Adjutant General as director of the WMD. These authorities are delegated by job title, rather than by name. These authorities may be exercised by any person holding the position in a permanent or an acting capacity. The authorities delegated include but are not limited to specific personnel actions, contract signature authority, and other related business functions.

This policy recognizes there are subordinate supervisory positions having the responsibility to participate in personnel actions. The agency may establish policies or practices to facilitate the administration of certain actions, but the ultimate authority to take the final action is described in this policy.

## **Policy**

- 1) Delegated authority must be exercised in accordance with all laws, policies, procedures, rules, regulations and codes. Delegated authority may not be further sub-delegated unless specifically authorized by the Adjutant General in writing.
- 2) In the absence of the Adjutant General and any individual to whom authority is delegated in this policy, the authority may be delegated to the following individuals, in the following order of succession:
  - a) Assistant Adjutant General Army
  - b) Assistant Adjutant General Air
  - c) Chief Financial Officer
- 3) The WMD director shall retain sole authority to:
  - a) Be the appointing authority for exempt executive staff, including hiring such employees into a temporary or permanent position and taking disciplinary actions including suspension, demotion, salary reduction, or termination.

- b) Execute contracts or other documents involving the purchase, sale, lease, or use of real property.
  - c) Execute or approve any modifications to the Cooperative Agreement between the state of Washington and National Guard Bureau.
  - d) Final approval for State Active Duty medical claims as authorized by 38.40.030 RCW.
- 4) Assistant Adjutant General Army:
- a) Be an appointing authority designee for the following personnel actions:
    - i) Personnel disciplinary actions to include suspension, demotion, salary reduction and dismissal of employees, except for exempt executive employees.
    - ii) Grievances for represented and non-represented classified employees.
  - b) Execution of contracts, including interagency/intergovernmental agreements, vendor contracts, subrecipient contracts, and amendments to the above on behalf of the agency provided the contract does not exceed delegated authority found in Department of Enterprise Services (DES) policy 090-00.
  - c) Execution of grants not to exceed the amount of \$3.5 million. Grants will not be executed until coordinated with the WMD state chief financial officer.
- 5) Assistant Adjutant General Air:
- a) Be an appointing authority designee for the following personnel actions:
    - i) Personnel disciplinary actions to include suspension, demotion, salary reduction and dismissal of employees, except for exempt/executive employees.
    - ii) Grievances for represented and non-represented classified employees.
  - b) Execution of contracts, including interagency/intergovernmental agreements, vendor contracts, subrecipient contracts, and amendments to the above on behalf of the agency provided the contract does not exceed delegated authority found in DES policy 090-00.
  - c) Execution of grants not to exceed the amount of \$3.5 million. Grants will not be executed until coordinated with the WMD state chief financial officer.
- 6) WMD Chief of Staff:
- a) Authorization of the Washington National Guard and Washington State Guard to act on behalf of the state of Washington, except that the authority to activate the organized militia into active state service (e.g. State Active Duty status) is reserved only for the governor.
- 7) Chief Financial Officer:
- a) Execution of contracts, including interagency/intergovernmental agreements,

vendor contracts, subrecipient contracts, and amendments to the above on behalf of the agency provided the contract does not exceed delegated authority found in DES policy 090-00.

- b) Disbursement of state funds, including allocation of state funds across WMD programs, and expenditure of funds consistent with appropriations and expenditure authority provided by the state Legislature.
  - c) Execution of public works contracts and change orders/amendments, as well as approval of architectural and engineering services agreements not to exceed the amount delegated to the WMD by the DES.
  - d) Approval of relocation expenses in accordance with State Administrative and Accounting Manual (SAAM).
  - e) Approval of salary and benefit increases for employees for recruitment and retention issues as allowed by WAC and Collective Bargaining Agreement (CBA).
- 8) Emergency Management Division (EMD) Director:
- a) Execution and administration of contracts and contract amendments (including vendor and sub-recipient contracts, grants, and interagency/intergovernmental agreements) during disaster response operations.
  - b) Approval of overtime and call back compensation for non-represented overtime exempt employees supporting emergencies and declared disasters in accordance with RCW 38.52.010 and WAC 357-28-185.
  - c) Approval of additional compensation (overtime, shift differential, call back and standby pay) for Washington Management Services (WMS) employees in accordance with the [WMD WMS Salary/Compensation Administration Policy](#) and WAC 357-58-170. This delegation does not include authority to award exchange time.
  - d) Appointment of disaster reservists in the event of emergencies proclaimed by the governor and presidentially declared disasters in accordance with WAC 357-19-005.
  - e) Approval of project employment and non-permanent appointments in the event of emergencies and declared disasters, pursuant to WAC 357-19-005 and 357-16-010.
- 9) Governor's Authorized Representative (GAR)/State Coordinating Officer (SCO) and Alternate Governor's Authorized Representative (AGAR)/Deputy State Coordinating Officer (DSCO):
- a) Approval to finalize grant agreements or contracts supporting the Joint Field Office disaster recovery efforts under all open presidential disaster declarations and emergencies proclaimed by the governor pursuant to WAC 357-04-090.

- b) Approval to determine all travel authorization for employees supporting the Joint Field Office and the State Emergency Operations Center during disaster response and recovery efforts for all open presidential disaster declarations, emergencies proclaimed by the governor, and wildfire declarations, pursuant to WAC 357-04-090.
  - c) Approval to determine the additional compensations (overtime, shift differential, call back, and stand-by pay) for non-represented overtime exempt employees supporting the Joint Field Office and the State Emergency Operations Center during disaster response and recovery efforts under all presidential disaster declarations, emergencies proclaimed by the governor, and wildfire declarations, pursuant to WAC 357-04-090 and WAC 357-28-200.
  - d) Approval to appoint disaster reservists in support of the Joint Field Office and the State Emergency Operations Center during disaster response and recovery efforts under all open presidential disaster declarations, emergencies proclaimed by the governor, and wildfire declarations, pursuant to WAC 357-04-090 and WAC 357-04-055.
  - e) Approval to appoint project employees and non-permanent employees in support of the disaster recovery projects and recovery efforts of all open presidential disaster declarations, emergencies proclaimed by the governor, and wildfire declarations, pursuant to WAC 357-04-090, WAC 357-19-305, and WAC 357-19-360.
- 10) Human Resources Director:
- a) Be an appointing authority designee for the following personnel actions:
    - i) Establishment of new classified positions within the agency.
    - ii) Hiring of general classified and WMS employees into a non-permanent or permanent position within the agency.
    - iii) Termination of probationary and review period employees pursuant to applicable state statute, regulation and CBA.
    - iv) Reversion of trial service employees pursuant to applicable state statute, regulation and CBA.
    - v) Extension of trial service, probationary, and review periods for general classified and WMS employees.
    - vi) Approval of transfer of permanent employees between agencies pursuant to applicable state statute, regulation and CBA.
    - vii) Approval of personnel classification determinations relating to state employees.
    - viii) Approval of shared leave.
    - ix) Approval of Family and Medical Leave Act (FMLA) and reasonable accommodation.