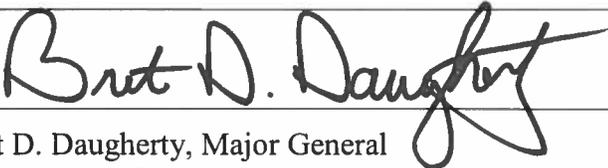




Department Policy No. DIR-011-13

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| Title: | Delegated Authorities for Business Processes |
| Former Number: | Supersedes WMD Delegation Letters |
| Authorizing Source: | RCW 41.06; WAC Chapter 357 |
| Information Contact: | Human Resources Director Building #33 (253) 512-7940 |
| Effective Date | February 1, 2013 |
| Mandatory Review Date: | February 1, 2017 |
| Revised: | New |
| Approved By: |  Bret D. Daugherty, Major General The Adjutant General Washington Military Department Director |

Purpose

State Agency Directors may not delegate discretionary functions, i.e., those functions imposed on the director by the Governor or Legislature that require the exercise of judgment or discretion. State Agency Directors may delegate ministerial or administrative actions, such as the execution of a function or action that the Agency Director has designated to be accomplished. Ministerial actions also include execution of agency function required by statute, or implicit in the statutory functions directed by legislature. The Authority delegated herein is to perform all necessary acts on behalf of the Washington Military Department (WMD) to assist the WMD Director in state matters by carrying out ministerial or administrative functions as described by function in this policy.

This policy identifies those Executive Management Positions within the WMD that have delegated appointing authority to take actions to execute and administer business functions that do not require the exercise level of Agency Director discretion, including but not limited to specific personnel actions, contract signature authority, and other related business functions.

Scope

The WMD Director shall retain sole authority to exercise all discretionary functions and retain parallel authority to perform the duties delegated herein. The ascribed delegations in this policy do not include, unless noted otherwise, those items which follow:

1. Take Appointing Authority actions or approve personnel classification determinations relating to state employees;
2. Execute contracts or other documents involving the purchase, sale, lease, or use of real property or the construction thereon; or
3. Execute agreements that result in the obligation of state funds, including cooperative agreements with the federal government and or other state agencies.

Policy

- A. This policy recognizes there are subordinate supervisory positions having the responsibility to participate in personnel actions. This policy does not prohibit the exercise of administrative assignments.
- B. Delegated Authority must be exercised in accordance with all policies, procedures, rule, regulations and codes. Delegated authority may not be further sub-delegated unless specifically authorized by the Appointing Authority in writing.
- C. The following positions are delegated the authorities as outlined within the Job Title. This authority may be exercised by any person holding the position in an acting capacity or persons at the request of the appointing authority acting in the appointing authority's absence.
 1. Assistant Adjutant General Air
 - a. Appointing Authority designee in personnel disciplinary actions to include suspension, demotion, salary reduction and dismissal for employees in the Washington Youth Academy Program, Star base, and all Non-Represented employees with the exception of WMS and EXEMPT Employees.
 - b. Appointing Authority designee for the Grievance Process for non-represented employees and employees represented by the Washington Public Employees Association.
 - c. Executions of contracts, including interagency/intergovernmental agreements, which are necessary for reimbursement or disbursement of funds related to emergency assistance, for routine payment, disbursement or reimbursement of funds, or are pursuant to an existing interagency relationship either entered into by the WMD Director or directed by statute; vendor contracts, subrecipient contracts; and amendments to the above.

- d. Execution of grants not to exceed the amount of 3.5 million dollars. Grants will not be executed until coordinated with the WMD state Chief Financial Officer; and
 - e. Actions and documents, including contracts, which are necessary for the administration and payment of State Active Duty Medical Claims pursuant to RCW 38.40.030.
2. Assistant Adjutant General Army
- a. Appointing Authority designee in personnel disciplinary actions to include suspension, demotion, salary reduction and dismissal for employees in the Emergency Management Division with the exception of WMS and EXEMPT employees.
 - b. Appointing Authority designee for the Grievance Process for employees represented by the Washington Federation of State Employees.
 - c. Executions of contracts, including interagency/intergovernmental agreements, which are necessary for reimbursement or disbursement of funds related to emergency assistance, for routine payment, disbursement or reimbursement of funds, or are pursuant to an existing interagency relationship either entered into by the Agency WMD Director or directed by statute; vendor contracts, sub recipient contracts; and amendments to the above.
 - d. Executions of grants not to exceed the amount of 3.5 million dollars. Grants will not be executed until coordinated with the WMD state Chief Financial Officer; and
 - e. Actions and documents, including contracts, which are necessary for the administration and payment of State Active Duty Medical Claims pursuant to RCW 38.40.030.
3. Chief Financial Officer
- a. Execution and administration of contracts and contract amendments (including vendor contracts, grants, and interagency/intergovernmental agreements), necessary to conduct state business (such as payment, disbursement, or reimbursement of funds);
 - b. Budgetary matters, including disbursement of funds pursuant to and consistent with contracts and appropriations business processes and policy; and
 - c. Administration of medical expense plans pursuant to RCW 41.04.340.
4. Emergency Management Division Director

- a. Execution and administration of contracts and contract amendments (including vendor and sub-recipient contracts, grants, and interagency/intergovernmental agreements), necessary to conduct state business related to emergency management (such as payment, reimbursement or disbursement of funds).
 - b. Executions of any grant not exceeding the amount of 3.5 Million, subject to prior coordination with the Assistant Adjutant General Army and the Chief Financial Officer of the WMD.
 - c. Approval of overtime and call back compensation for non-represented overtime exempt employees supporting emergencies and declared disasters in accordance with WAC 357-28-185 and RCW 38.52.010.
 - d. Approval of additional compensation (overtime, shift differential, call back and standby pay) for Washington Management Service employees within the EMD Division who directly support declared emergencies and disasters in accordance with WMD Policy and WAC 357-58-170. This delegation does not include authority to award exchange time.
 - e. Appointment of Disaster Reservists in the event of officially declared emergencies in accordance with WAC 357-19-005.
 - f. Approval of Project Employment and non-permanent appointments, in the event of officially declared emergencies, pursuant to WAC 357-19-005 and 357-16-010.
5. Human Resources Director
- a. Termination of non-permanent state service employment for reasons other than cause, of non status employees pursuant to applicable state statute, regulation and collective bargaining agreement.
 - b. Appointing authority responsibility and duties related to the appointment of non-permanent or acting positions within the WMD with the concurrence of the appropriate Division Director or Assistant Adjutant General.
 - c. Approval of transfer of permanent employees between agencies pursuant to applicable state statute, regulation and collective bargaining agreement.
 - d. Execution and administration of the WMD's shared leave program pursuant to applicable state statute, regulation and collective bargaining agreement.
 - e. Execution and administration of the Uniform Shared Services Shared Leave Program pursuant to applicable state statute, regulation and collective bargaining agreement.

- f. Approval of Reasonable Accommodations for persons with disabilities, as defined by state and federal law. As consistent with state and federal law, reasonable accommodation may include but is not limited to:
 - i. Accommodation in application procedures, testing, and the interview process; or
 - ii. Modifications or adjustments to a job, work method, or work environment that make it possible for a qualified person with a disability to perform the essential functions of a position, or enjoy the benefits and privileges of employment to employees without disabilities.
 - g. Allocation or reallocation of positions pursuant to applicable state statute, regulation, and collective bargaining agreement.
 - h. Approval of Family Medical Leave (FMLA) in accordance with applicable state and federal statute, regulation and collective bargaining agreement for state employees within the WMD.
 - i. Approval of Outside Employment Requests; referral of denied requests will be submitted to the WMD Director for review and concurrence or approval.
6. Assistant Director, Construction and Facilities Management Office
- a. Delegated Authorities pursuant to RCW 43.19.450 in regards to WMD Public Works Project Management as outlined in the most current biennial agreement between the WMD and Department of Enterprise Services.
 - b. Signature authority on capital contracts in the amounts delegated to WMD by the Department of Enterprise Services
 - c. Signing contract change orders to existing contracts for amounts of \$25,000 or less;
 - d. Signing custodial contracts for amounts of \$50,000 or less; and
 - e. Signing of rental agreements for short term rental of state owned National Guard facilities, in accordance with Washington Army National Guard Regulation 210-1.

D. Agency Unique Special Circumstance and Direction

Federal Supervisors of State Employees

Federal Supervisors of State Employees are delegated authority herein to perform all necessary acts on behalf of the WMD to carry out the supervision of state employees in

state matters, including state matters necessary for participation in federal programs by carrying out ministerial and administrative actions and functions, including but not limited to:

- a. Management of state employees in compliance with requirements set forth by the applicable Revised Code of Washington (RCW), Washington Administrative Code (WAC) and Collective Bargaining Agreements (CBA).
- b. Determine, provide, monitor measurable Performance Expectations and provide feedback, performance accountability and employee development opportunities through comprehensive and timely Performance evaluations.
- c. Develop and maintain comprehensive and accurate Position Description Forms (PDF's) for positions under their supervisory span of control ensuring that assigned work assignments are consistent with duties and responsibilities documented in the PDF's and that employees understand and work within the scope of their approved PDF's.
- d. Ensure timely and accurate time and leave reporting to confirm accurate compensation for time worked. This includes evaluations and approval of schedule changes, leave requests, and timesheet submissions to ensure employees are working within their approved schedules; overtime is approved in advance and paid in accordance with the Fair Labor's Standards Act, WAC's and CBA's.
- e. Signature authority to initiate request to process for personnel and position actions including transfers, new appointments, reallocations, updates and requests to recruit and hire within the guidelines provided by WMD State Policy and Procedure.

E. Delegator Training Requirements

This authority is granted with the understanding and expectation that Federal Supervisors of State Employee's acquire and maintain the necessary skills and knowledge required to meet supervisory standards under State and Federal Law, and WMD policies and procedures including but not limited to:

1. Completion of WMD mandatory State Supervisory Training within first 6 months following the assignment of a supervisory responsibility for State Employee(s) which includes at a minimum
 - a. New Employee State Orientation
 - b. Safety and Risk Management Training
 - c. Sexual Harassment Awareness and Avoidance

- d. Ethics in State Service
 - e. Time, Attendance and Leave Accounting Requirements
2. Alternatively, Federal Supervisors may submit documentation of completion of comparable training to the State Human Resource Director for determination and documentation that it meets standards for any or all of the mandatory training requirements. Absent appropriate documentation enrollment in appropriate classes shall be completed within first 6 months following the assignment of a supervisory responsibility for a State Employee (s).

This delegation of authority is restricted to the Federal Position holding responsibility for the supervision of the state employee and is not transferable without the WMD Director's authorization.

Procedures

- A. In the absence of any individual with the delegated authorities assigned under this policy, authorities may be delegated upward in the following order of succession:
- a. Assistant Adjutant General Air
 - b. Assistant Adjutant General Army
 - c. Chief Financial Officer
- B. Delegation of Authority may not be delegated downward without the express written permission of the WMD Director.

Upon signing of the policy, all authorities that may have been granted previously are hereby rescinded. This policy will remain in force until rescinded in writing.