

WAC 192-700-015 How is employer size determined for

employment protection? (1) Employment protection ~~applies to~~
~~employees who work for an employer with fifty or more employees~~
~~in employment~~ is available to employees as provided in RCW
50A.35.010.

(2) For the purpose of ~~employment protection~~ RCW
50A.35.010(6)(a)(i), employers are considered to have ~~fifty or~~
~~more~~ the required number of employees when:

(a) The employer has ~~fifty or more~~ the required number of
employees or more ~~working~~ employed each work day for twenty or
more calendar workweeks; and

(b) The twenty calendar workweeks occur in the current
calendar year or occurred in the preceding calendar year.

(3) For the purposes of this section, any employee whose
name appears on the employer's payroll will be considered
employed. Employees on paid or unpaid leave, including leave
taken under Title 50A RCW, leave taken under the federal family
and medical leave act, leaves of absence, disciplinary
suspension, etc., are counted as long as the employer has a
reasonable expectation that the employee will later return to

active employment. If there is no employer/employee relationship
(as when an employee is laid off, whether temporarily or
permanently) such individual is not counted.

[Statutory Authority: RCW 50A.04.215. WSR 19-16-081, § 192-700-015, filed 7/31/19, effective 8/31/19.]