

Chapter 42.16 RCW
SALARIES AND FEES

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State boards and commissions, part-time, compensation: RCW 43.03.220 through 43.03.250.

State elective officers, salaries: RCW 43.03.011.

Superior court reporters, salaries: RCW 2.32.210.

*Supreme court reporter, salary: State Constitution Art. 4 s 18; **Rules of court:** SAR 17(1).*

University of Washington, disposition of fees: RCW 28B.15.210, 28B.15.220.

Utilities and transportation commission, salaries: RCW 80.01.010.

Washington State University, disposition of fees: RCW 28B.15.310.

RCW 42.16.010 Salaries paid twice each month—Policies and procedures to assure full payment—Exceptions. (1) Except as provided otherwise in subsections (2) and (3) of this section, all state officers and employees shall be paid for services rendered from the first day of the month through the fifteenth day of the month and for services rendered from the sixteenth day of the month through the last calendar day of the month. Paydates for these two pay periods shall be established by the director of financial management through the administrative hearing process and the official paydates shall be established six months prior to the beginning of each subsequent calendar year. Under no circumstance shall the paydate be established more than ten days after the pay period in which the wages are earned except when the designated paydate falls on Sunday, in which case the paydate shall not be later than the following Monday.

(2) Except as provided by subsection (3) of this section, payment shall be deemed to have been made by the established paydates if: (a) The salary warrant is available at the geographic work location at which the warrant is normally available to the employee; or (b) the salary has been electronically transferred into the employee's account at the employee's designated financial institution; or (c) the salary warrants are mailed at least two days before the established payday for those employees engaged in work in remote or varying locations from the geographic location at which the payroll is prepared, provided that the employee has requested payment by mail.

The office of financial management shall develop the necessary policies and operating procedures to assure that all remuneration for services rendered including basic salary, shift differential, standby pay, overtime, penalty pay, salary due based on contractual agreements, and special pay provisions, as provided for by law, agency policy or rule, or contract, shall be available to the employee on the designated payday. Overtime, penalty pay, and special pay provisions may be paid by the next following payday if the postponement of payment is attributable to: The employee's not making a timely or accurate report of the facts which are the basis for the payment, or the employer's lack of reasonable opportunity to verify the claim.

Compensable benefits payable because of separation from state service shall be paid with the earnings for the final period worked unless the employee separating has not provided the agency with the proper notification of intent to terminate.

One-half of the employee's basic monthly salary shall be paid in each pay period. Employees paid on an hourly basis or employees who work less than a full pay period shall be paid for actual salary earned.

(3) (a) Subsection (2) of this section does not apply to state officers and employees whose appointment to state service begins July 1, 2023, or thereafter. For state officers and employees whose appointment to state service begins July 1, 2023, or thereafter, payment for salaries must be made by electronic funds transfer. Payment will be deemed to have been made by the established payday if the electronic funds transfer has been executed.

(b) For purposes of this subsection (3), electronic funds transfer means the electronic transfer of funds into an account at the officer's or employee's designated financial institution or the funds are loaded onto a payroll card.

(4) Subsections (1), (2), and (3) of this section shall not apply in instances where it would conflict with contractual rights or, with the approval of the office of financial management, to short-term, intermittent, noncareer state employees, to student employees of institutions of higher education, and to national or state guard members participating in state active duty. The University of Washington is not subject to the requirements of subsection (3) of this section until July 1, 2025.

(5) When a national or state guard member is called to participate in state active duty, the payday shall be no more than seven days following completion of duty or the end of the pay period, whichever is first. When the seventh day falls on Sunday, the payday shall not be later than the following Monday. This subsection shall apply only to the pay a national or state guard member receives from the military department for state active duty.

(6) Notwithstanding subsections (1) and (2) of this section, a bargained contract at an institution of higher education may include a

provision for paying part-time academic employees on a pay schedule that coincides with all the paydays used for full-time academic employees.

(7) (a) Notwithstanding subsections (1), (2), and (6) of this section, an institution of higher education as defined in RCW 28B.10.016 may pay its employees for services rendered biweekly, in pay periods consisting of two consecutive seven calendar-day weeks. The payday for each pay period shall be seven calendar days after the end of the pay period. Under no circumstance may the payday be established more than seven days after the pay period in which the wages are earned except that when the designated payday falls on a holiday, the payday shall not be later than the following Monday.

(b) Employees on a biweekly payroll cycle under this subsection (7) who are paid a salary may receive a prorated amount of their annualized salary each pay period. The prorated amount must be proportional to the number of pay periods worked in the calendar year. Employees on a biweekly payroll cycle under this subsection (7) who are paid hourly, or who work less than a full pay period may be paid the actual salary amount earned during the pay period.

(c) Each institution that adopts a biweekly pay schedule under this subsection (7) must establish, publish, and notify the director of the office of financial management of the official paydates six months before the beginning of each subsequent calendar year.

(8) Notwithstanding subsections (1), (2), and (6) of this section, academic employees at institutions of higher education as defined in RCW 28B.10.016 whose employment appointments are less than twelve months may have their salaries prorated in such a way that coincides with the paydays used for full-time employees. [2023 c 148 s 2; 2014 c 162 s 2; 2011 1st sp.s. c 43 s 446; 2008 c 186 s 1; 2004 c 56 s 1; 1993 c 281 s 42; 1983 1st ex.s. c 28 s 1; 1979 c 151 s 68; 1969 c 59 s 1; 1967 ex.s. c 25 s 1; 1891 c 130 s 1; RRS s 10965.]

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW 43.19.003.

Effective date—1993 c 281: See note following RCW 41.06.022.

Application—1983 1st ex.s. c 28: "This act applies to pay periods beginning January 1, 1984." [1983 1st ex.s. c 28 s 8.]

Effective date—1967 ex.s. c 25: "This 1967 amendatory act shall take effect July 1, 1967: PROVIDED, That the budget director may by regulation postpone the operation of the act for any reasonable time, not extending beyond the 1967-1969 biennium, to facilitate an orderly transition in state payroll procedures." [1967 ex.s. c 25 s 9.]
"Budget director" redesignated "director of financial management."

RCW 42.16.011 State payroll revolving account—Use. A state payroll revolving account is created in the state treasury, for the payment of compensation to employees and officers of the state and distribution of all amounts withheld therefrom pursuant to law and amounts authorized by employees to be withheld pursuant to law; also for the payment of the state's contributions for retirement and insurance and other employee benefits: PROVIDED, That the utilization of the state payroll revolving account shall be optional except for

agencies whose payrolls are prepared under a centralized system established pursuant to regulations of the director of financial management. [2012 c 198 s 20; 1985 c 57 s 25; 1981 c 9 s 1; 1979 c 151 s 69; 1969 c 59 s 2; 1967 ex.s. c 25 s 2.]

Effective date—2012 c 198: See note following RCW 70A.15.5110.

Effective date—1985 c 57: See note following RCW 18.04.105.

Transfer from state payroll revolving fund: "All moneys in the state treasury to the credit of the state payroll revolving fund shall be transferred on the effective date of this act to the state payroll revolving account." [1981 c 9 s 7.] The effective date of 1981 c 9 was February 27, 1981.

RCW 42.16.012 State payroll revolving account—Disbursements—Sources. The amounts to be disbursed from the state payroll revolving account from time to time on behalf of agencies utilizing such account shall be transferred thereto by the state treasurer from appropriated funds properly chargeable with the disbursement for the purposes set forth in RCW 42.16.011, on or before the day prior to scheduled disbursement. [2012 c 198 s 21; 1981 c 9 s 2; 1967 ex.s. c 25 s 3.]

Effective date—2012 c 198: See note following RCW 70A.15.5110.

RCW 42.16.013 Transfers to state payroll revolving account—Certification by agencies or director of financial management. The state treasurer shall make such transfers to the state payroll revolving account in the amounts to be disbursed as certified by the respective agencies: PROVIDED, That if the payroll is prepared on behalf of an agency from data authenticated and certified by the agency under a centralized system established pursuant to regulation of the director of financial management, the state treasurer shall make the transfer upon the certification of the head of the agency preparing the centralized payroll or his or her designee. [2012 c 117 s 109; 1981 c 9 s 3; 1979 c 151 s 70; 1969 c 59 s 3; 1967 ex.s. c 25 s 4.]

RCW 42.16.014 Disbursements by warrants—Certifications. Disbursements from the revolving account and fund created by RCW 42.16.010 through 42.16.017 shall be by warrant in accordance with the provisions of RCW 43.88.160: PROVIDED, That when the payroll is prepared under a centralized system established pursuant to regulations of the director of financial management, disbursements on behalf of the agency shall be certified by the head of the agency preparing the centralized payroll or his or her designee: PROVIDED FURTHER, That disbursements from a centralized paying agency representing amounts withheld, and/or contributions, for payment to any individual payee on behalf of several agencies, may be by single warrant representing the aggregate amounts payable by all such agencies to such payee. The procedure for disbursement and certification of these aggregate amounts shall be established by the director of financial management.

All payments to employees or other payees, from the revolving account and fund created by RCW 42.16.010 through 42.16.017, whether certified by an agency or by the director of financial management on behalf of such agency, shall be made wherever possible by a single warrant reflecting on its face the amount charged to each revolving account and fund. [2012 c 117 s 110; 1981 c 9 s 4; 1979 c 151 s 71; 1969 c 59 s 4; 1967 ex.s. c 25 s 5.]

RCW 42.16.015 Cancellation of warrants—Transfer of increased balance amounts in state payroll revolving account. All amounts increasing the balance in the state payroll revolving account, as a result of the cancellation of warrants issued therefrom shall be transferred by the state treasurer to the fund from which the canceled warrant would originally have been paid except for the provisions of RCW 42.16.010 through 42.16.017. [1981 c 9 s 5; 1967 ex.s. c 25 s 6.]

RCW 42.16.017 Payroll preparation and accounting—Establishment of policies, procedures, and paydates. The director of financial management shall adopt the necessary policies and procedures to implement RCW 42.16.010 through 42.16.017, including the establishment of paydates. Such paydates shall conform to RCW 42.16.010. The director of financial management shall have approval over all agency and state payroll systems and shall determine the payroll systems to be used by state agencies to ensure the implementation of RCW 42.16.010 and 41.04.232: PROVIDED, That for purposes of the central personnel payroll system, the provisions of RCW 41.07.020 shall apply. [1998 c 245 s 45; 1983 1st ex.s. c 28 s 6; 1979 c 151 s 72; 1967 ex.s. c 25 s 8.]

Application—1983 1st ex.s. c 28: See note following RCW 42.16.010.

RCW 42.16.020 Salaried officers not to receive witness fees—Exceptions. No state, county, municipal, or other public officer within the state of Washington, who receives from the state, or from any county or municipality therein, a fixed and stated salary as compensation for services rendered as such public officer shall be allowed or paid any per diem for attending or testifying on behalf of the state of Washington, or any county or municipality therein, at any trial or other judicial proceeding, in any state, county, or municipal court within this state; nor shall such officer, in any case, be allowed nor paid any per diem for attending or testifying in any state or municipal court of this state, in regard to matters and information that have come to his or her knowledge in connection with and as a result of the performance of his or her duties as a public officer as aforesaid: PROVIDED, This section shall not apply when any deduction shall be made from the regular salary of such officer by reason of his or her being in attendance upon the superior court, but in such cases regular witness fees shall be paid; and further, that if a public officer be subpoenaed and required to appear or testify in judicial proceedings in a county other than that in which he or she resides, then said public officer shall be entitled to receive per diem and mileage as provided by statute in other cases; and, PROVIDED FURTHER,

That this section shall not apply to police officers when called as witnesses in the superior courts during hours when they are off duty as such officers. A law enforcement officer who has issued a notice of traffic infraction is not entitled to receive witness fees or mileage in a contested traffic infraction case. [2012 c 117 s 111; 1981 c 19 s 3; 1903 c 10 s 1; 1901 c 101 s 1; RRS s 499.]

Severability—1981 c 19: See note following RCW 46.63.020.

RCW 42.16.030 Disposition of fees. All officers enumerated in *this section, who are paid a salary in lieu of fees, shall collect the fees herein prescribed for the use of the state or county, as the case may be, and shall pay the same into the state or county treasury, as the case may be, on the first Monday of each month. [1907 c 56 s 1, part; RRS s 4217. Prior: 1903 c 151 s 1, part; 1893 c 130 s 1, part.]

***Reviser's note:** The term "this section" refers to 1907 c 56 s 1, of which RCW 42.16.030 is but a part. The other parts of 1907 c 56 s 1, as amended, are codified as RCW 2.32.070 (supreme court clerk's fees), 2.40.010 (witnesses' fees), 36.18.020 (superior court clerks' fees), 36.18.040 (sheriff's fees), 36.18.010 (county auditor's fees), 36.18.030 (county coroner's fees), 2.36.150 (jurors' fees), 3.16.100 (constables' fees), and 42.28.090 (notaries' fees).

Daily remittance of moneys to state treasury required: RCW 43.01.050.

RCW 42.16.040 Official fees payable in advance. All fees are invariably due in advance where demanded by the officer required to perform any official act, and no officer shall be required to perform any official act unless his or her fees are paid when he or she demands the same: PROVIDED, This section shall not apply when the officer performs any official act for his or her county or the state. [2012 c 117 s 112; Code 1881 s 2099; 1869 p 374 s 21; RRS s 505. Formerly codified as RCW 42.04.050.]

County officers, fees payable in advance: RCW 36.18.060.

County sheriff, demand of fees payable in advance: RCW 36.28.040.