



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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DATE: June 10, 2020

TIME: 12:07 PM

WSR 20-13-041

**Agency:** Employment Security Department

**Subject of possible rule making:** The Employment Security Department is engaging in rulemaking regarding whether the emergency rules adopted during the COVID-19 response should be made permanent. The emergency rules cover registration for work, certification of satisfactory progress for training programs, penalty waivers, updates to certain definitions, WorkSource closures, shared work, lack of work, standby status, and suspected fraudulent claims.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 50.12.010 and RCW 50.12.040 provide general rulemaking authority to the Employment Security Department.

**Reasons why rules on this subject may be needed and what they might accomplish:** In February, Governor Inslee proclaimed a State of Emergency in Washington regarding COVID-19. The Department filed a series of emergency rules in order to support the state's emergency response. The Department is now seeking input from the public regarding which of those emergency rules should be made permanent.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The U.S. Department of Labor reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of the unemployment insurance laws so long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) Draft rules will be shared with the public and stakeholders. The Department will solicit input from all parties and consider all comments in the development of final rules.

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

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(If necessary)

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Additional comments:

**Date:** June 10, 2020

**Name:** Dan Zeitlin

**Title:** Employment Security Policy Director

**Signature:**