



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Employment Security Department

**Preproposal Statement of Inquiry was filed as WSR 13-20-115 ; or**  
 **Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or**  
 **Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).**

**Original Notice**  
 **Supplemental Notice to WSR \_\_\_\_\_**  
 **Continuance of WSR \_\_\_\_\_**

**Title of rule and other identifying information:** (Describe Subject) WAC 192-04-060 regarding petitions for review; WAC 192-120-035 regarding notifying claimants regarding a question about their eligibility for benefits; WAC 192-130-050 and WAC 192-130-065 related to notices and mailing addresses for employers when a claim for benefits is filed.

**Hearing location(s):**  
 Employment Security Department  
 Maple Leaf Conference Room  
 212 Maple Park Avenue SE  
 Olympia, Washington

Date: January 9, 2014 Time: 10:30 a.m.

**Submit written comments to:**

Name: Pamela Ames  
 Address: P.O. Box 9046  
 Olympia WA 98507-9046  
 e-mail [pames@esd.wa.gov](mailto:pames@esd.wa.gov)  
 fax (360)902-0911 by (date) January 8, 2014

**Assistance for persons with disabilities:** Contact  
Kintu Nnambi by January 8, 2014  
 TTY (800) 833-6384 or (360) 725-9454

**Date of intended adoption:** January 13, 2014  
 (Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The rules provide that the department may file a petition for review of a decision issued by the Office of Administrative Hearings, in common with other interested parties to the decision. The rules also specify how notice of eligibility questions will be provided to individuals who file a claim on the internet; the rule already specifies how such notice will be provided for individuals filing by phone. They also clarify the mailing procedures for the notice to employer required by statute.

**Reasons supporting proposal:** The department is authorized to petition for review of an adverse decision issued by the Office of Administrative hearings. Procedures for providing claimants and employers with required notices are clarified.

**Statutory authority for adoption:** RCW 50.12.010 and RCW 50.12.040

**Statute being implemented:** Chapter 50.32.RCW, Chapter 50.20 RCW, RCW 50.20.150

**Is rule necessary because of a:**

Federal Law?  Yes  No  
 Federal Court Decision?  Yes  No  
 State Court Decision?  Yes  No  
 If yes, CITATION:

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
 STATE OF WASHINGTON  
 FILED

**DATE:** December 02, 2013

**TIME:** 3:33 PM

**WSR 13-24-079**

**DATE**  
 December 2, 2013

**NAME** (type or print)  
 Nan Thomas

**SIGNATURE**  


**TITLE**  
 Deputy Commissioner

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

None.

**Name of proponent:** (person or organization) Employment Security Department

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Juanita Myers	212 Maple Park, Olympia	(360) 902-9665
Implementation....Juanita Myers	212 Maple Park, Olympia	(360) 902-9665
Enforcement..... Neil Gorrell	212 Maple Park, Olympia	(360) 902-9303

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No. Explain why no statement was prepared.

There is no disproportionate impact on small business.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No: Please explain: The rules clarify notice procedures and permit the department to petition for review of adverse administrative decisions. They do not meet the definition of significant legislative rules under RCW 34.05.328.