

Introduction

Pursuant to RCW 34.05.328, the Employment Security Department (Department) hereby places into the rulemaking file an analysis of the determinations required by RCW 34.05.328(1).

Analysis

- a) Currently, WAC 192-140-035 states that if an unemployment insurance claimant does not respond to a request for information, they are denied benefits “for an indefinite period of time” until they respond to the Department’s request for information. This rule amendment will explain the circumstances under which a claimant may requalify for benefits after previously being denied due to failing to respond to a request for information from the Department by formalizing two exceptions to the “indefinite period of time” time frame.
- b) A cost-benefit analysis has been prepared by the Department. The cost-benefit analysis is available on the Department’s webpage.
([https:// https://esd.wa.gov/newsroom/rulemaking/failure-to-respond](https://esd.wa.gov/newsroom/rulemaking/failure-to-respond))
- c) Under both the preliminary and final cost-benefit analysis, the Department determined the probable benefits of the rule are greater than its probable costs, taking into account both the qualitative and quantitative benefits and costs and the specific directives of the statute being implemented.
- d) The amendment to WAC 192-140-035 represents the least burdensome alternative.
- e) The rule does not require those to whom it applies to take an action that violates the requirements of another federal or state law.
- f) The rule does not impose any performance requirements on public or private entities.
- g) This rule does not differ from any other federal regulation or statute.
- h) The Department has coordinated this rule, to the maximum extent practicable, with other federal, state, and local laws applicable to the same activity or subject matter.