



## Employment Security Department Semi-Annual Rulemaking Agenda (July 2023 – January 2024)

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: July 17, 2023**  
**TIME: 4:12 PM**

**WSR 23-15-079**

The Employment Security Department (ESD) prepares a semi-annual rulemaking agenda in January and July each year to inform the public of expected upcoming rule changes. Pursuant to RCW 34.05.314, the agenda is published in the Washington State Register.

ESD encourages the public to be involved in the rulemaking processes by attending public hearings and submitting comments on rules. To stay informed of our progress and be notified of any changes, please sign up for email notifications: <https://public.govdelivery.com/accounts/WAESD/subscriber/new>. Additional rulemaking information is available on the agency website at <https://esd.wa.gov/newsroom/rulemaking>.

Subject Matter or Division	WAC Chapter or Sections	Purpose and scope of rulemaking	Pre-Proposal Notice Filings (CR101)	Proposed Rule and Public Hearing Filings (CR102 or CR105 expedited)	Permanent Rule Filing (CR103)
Unemployment Insurance Benefits	WAC 192-100-070	Concerning conditional payments	Filed October 24, 2022, in WSR 22-22-028	To be determined	To be determined
Unemployment Insurance Benefits	WAC 192-150-055, WAC 192-150-165, WAC 192-150-235, WAC 192-170-010, WAC 192-170-055, and WAC 192-320-087	Concerning public health emergencies that begin or end during a benefit week	Filed February 1, 2023, in WSR 23-04-105	CR 102 filed April 19, 2023, in WSR 23-09-077	Filed July 7, 2023, in WSR 23-15-009
Unemployment Insurance Benefits	WAC 192-140-035	Concerning the circumstances under which a claimant who has been denied benefits due to a failure to respond to a request for information can requalify for benefits under a new claim	Filed February 15, 2023, in WSR 23-05-104	CR 102 filed July 5, 2023, in WSR 23-14-118	After August 10, 2023

Unemployment Insurance Benefits	WAC 192-300-170	Updating a reference to a repealed statute to the current statute	N/A	CR 105 filed April 24, 2023, in WSR 21-10-007	Filed July 10, 2023, in WSR 23-15-031
Unemployment Insurance Benefits	WAC 192-150, WAC 192-180, WAC 192-310, and WAC 192-320	Concerning transportation network companies and drivers	Filed May 15, 2023, in WSR 23-11-067	To be determined	To be determined
Unemployment Insurance Benefits	WAC 192-310-190	Expanding availability of unemployment insurance to officers of employee-owned businesses	N/A	CR 105 filed May 16, 2023, in WSR 23-11-073	After July 25, 2023
Unemployment Insurance Benefits	WAC 192-310-010	Concerning the option for Native American tribes to report standard occupational classification codes	Filed May 24, 2023, in WSR 23-12-009	To be determined	To be determined
Unemployment Insurance Benefits	WAC 192-150 and WAC 192-320	Concerning expanded good cause reasons for voluntarily quitting employment	Filed May 25, 2023, in WSR 23-12-017	To be determined	To be determined
Unemployment Insurance Benefits	WAC 192-02-060 and WAC 192-02-130	Concerning information that must be provided in a request for public records and the process for requesting the Department to review a response to a request for records	Filed June 1, 2023, in WSR 23-12-055	After July 19, 2023	To be determined
Unemployment Insurance Benefits	WAC 192-220	Concerning whether rules regarding waivers of overpayments should be adopted as permanent rules	Filed June 27, 2023, in WSR 23-14-051	To be determined	To be determined
Unemployment Insurance Benefits	WAC 192-220-017	Extending emergency rules regarding waivers of overpayments	N/A	Filed CR 103E June 27, 2023, in WSR 23-14-052 to extend the emergency rules until October 28, 2023	N/A
Paid Family and Medical Leave	WAC 192-500-195 WAC 192-510-010 WAC 192-540-030 WAC 192-800-150	Clarifying the definition of placement, correcting an out-of-date pointer to an RCW, elective coverage eligibility, designated	Filed October 17, 2022, in WSR 22-21-096	Filed April 4, 2023, in WSR 23-08-075	Filed May 17, 2023, in WSR 23-11-083

		representative, and employer reporting requirements			Effective July 1, 2023
Paid Family and Medical Leave	To be determined	Implementing Substitute House Bill 1570 regarding Transportation Network Companies	Filed May 17, 2023, in WSR 23-11-081	To be determined	To be determined
Paid Family and Medical Leave	To be determined	Implementing Substitute Senate Bill 5286, Substitute Senate Bill 5586, and aligning public records rules with agency rules	Filed May 17, 2023, in WSR 23-11-082	To be determined	To be determined

ESD is responsible for initiating rulemaking to implement new state laws, meet federal requirements, and to meet unforeseen circumstances. Because of this variability, this agenda is prepared for informational purposes only and any dates noted herein are planning estimates that are subject to change. Additional rulemaking can occur in addition to what is listed on the agenda.

This agenda does not constitute a rule or rulemaking action. Any errors or omissions in this agenda do not affect the actual rules or rulemaking notices filed with the Office of the Code Reviser and published in the Washington State Register.

The rulemaking process can appear complex. ESD has outlined the process on its website to help constituents understand and become involved: <https://www.esd.wa.gov/newsroom/rulemaking-process>. If you have additional questions, please contact the Agency Rules Coordinator, Janette Benham at (360) 790-6583, or email at [rules@esd.wa.gov](mailto:rules@esd.wa.gov).