



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: April 01, 2020

TIME: 8:38 AM

WSR 20-08-129

Agency: Employment Security Department

Subject of possible rule making: The COVID-19 Unemployment Account (Sections 3, 4, 5 of Engrossed House Bill 2965 (c. 7, Laws of 2020))

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. Section 5 of Engrossed House Bill 2965 (c. 7, Laws of 2020) also directs the Employment Security Department to establish rules relating to the COVID-19 Unemployment Account.

Reasons why rules on this subject may be needed and what they might accomplish: In the most recent legislative session, the Legislature passed Engrossed House Bill 2965 (c. 7, Laws of 2020), which appropriates funds into the COVID-19 Unemployment Account for the purposes of reducing specified benefit charges to eligible employers. Rules are necessary in order to establish which employers are eligible to apply for benefit charge reduction, which benefit charges are eligible to be reduced, and the process for how employers can apply for benefit charge reduction.

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)

Name:

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Other:

Additional comments:

Date: April 1, 2020

Name: Dan Zeitlin

Title: Employment Security Policy Director

Signature: