



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 192-310-010, 192-310-030, and 192-310-050	Requiring employers to include the Standard Occupational Classification (SOC) code or job title of each worker in their quarterly tax reports (SHB 2308 – 2020).	Filed May 12, 2021 in WSR 21-11-031	Filed August 19, 2022 in WSR 22-17-110	Filed October 17, 2022 in WSR 22-21-094
Unemployment Insurance Benefits	WAC 192-240-025	Updates unemployment insurance qualifications for health care workers (ESSB 5190 – 2021).	Filed May 13, 2021 in WSR 21-11-052	Filed June 28, 2022 in WSR 22-14-049	Filed October 17, 2022 in WSR 22-21-093
Unemployment Insurance Benefits	WAC 192-110-095, 192-320-078, 192-320-082, 192-140-098, 192-150-055, 192-180-005, 192-180-025, 192-180-040, 192-270-065, 192-250-020, 192-250-045, 192-110-015, 192-310-030, 192-140-090, 192-04-	Expanding access to Shared Work by removing the requirement that an employer be legally registered in the state for at least six months. This is a supplemental filing to WSR 20-13-041.	Filed June 10, 2020 in 20-13-041; March 10, 2021 in 21-07-035; Dec in 22-01-192	Filed June 22, 2022 in WSR 22-13-172	Filed August 19, 2022 in WSR 22-17-109

	210, 192-110-050, 192-320-072, 192-240-070, and 192-110-006				
Unemployment Insurance Benefits	WAC 192-04-145	Adopting Brief Adjudicative Proceedings	Filed June 21, 2022 in WSR 22-16-008	Filed September 16, 2022 in WSR 22-19-059	Filed November 9, 2022 in WSR 22-23-064
Unemployment Insurance Benefits	WAC 192-150-180	Updating a cross-reference in RCW 50.20.050, regarding part-time quits.		Filed June 2, 2022	Filed September 7, 2022 in WSR 22-18-091
Unemployment Insurance Benefits	WAC 192-170-080	Updating eligibility for unemployment insurance benefit eligibility for claimants on a leave of absence.	Filed July 6, 2022 in WSR 22-15-002	Filed November 9, 2022 in WSR 22-23-065	Expected February 2023
Unemployment Insurance Benefits	To be determined	Updates work search requirements with new flexibility provided to the Department in SHB 1493 (2021).	Filed May 28, 2021 in WSR 21-12-067	To be determined	To be determined
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	To be determined	Concerning the length of time a claimant is indefinitely denied benefits due to a failure to respond to a request for information	To be determined	To be determined	To be determined
Unemployment Insurance Benefits	To be determined	Concerning overpayment waivers	To be determined	To be determined	To be determined
Paid Family and Medical Leave	WAC 192-520-010; WAC 192-610-025	Implementation of 2SSB 5649 (2022 legislation) regarding parties to collective bargaining agreements, new provisions for leave taken for the postnatal period or death of a child, and documentation requirements.	Filed March 31, 2022 in WSR 22-08-049	Filed June 22, 2022 in WSR 22-13-176	Filed August 8, 2022 in WSR 22-17-029

Paid Family and Medical Leave	To be determined	Clarifying the definition of placement, correcting an out-of-date pointer to an RCW, elective coverage eligibility, designated representative, and employer reporting requirements. Topics may include other rules as necessary.	Filed October 17, 2022 in WSR 22-21-096	To be determined	To be determined
Long-term Services and Supports (WA Cares)	WAC 192-935-005 and 010	The third phase of rulemaking for initial implementation of Title 50B RCW regarding employer audits.	Filed November 2, 2021 in WSR 21-22-107	Filed August 3, 2022 in WSR 22-16-111	Filed September 28, 2022 in WSR 22-20-044
Long-term Services and Supports (WA Cares)	WAC 192-905-005, 006, 007, 010; WAC 192-910-015; WAC 192-915-005 and 015	Implementation of SHB 1732 and ESHB 1733 delaying the WA Cares Fund program by eighteen months and adding four new voluntary exemptions.	Filed March 30, 2022 in WSR 22-08-039	Filed August 3, 2022 in WSR 22-16-111	Filed September 28, 2022 in WSR 22-20-044

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, Scott E. Michael at (360) 890-3448, or email at rules@esd.wa.gov.