



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 06, 2023

TIME: 1:57 PM

WSR 23-15-009

Agency: Employment Security Department

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: For purposes of unemployment insurance, benefit weeks run from Sunday to Saturday. However, a public health emergency declaration may begin or end in the middle of a benefit week. This rulemaking will clarify how a declaration of a public health emergency that begins or ends during the middle of a benefit week impacts a claimant's eligibility for benefits and an employer's ability to get relief of benefit charges in certain situations.

Citation of rules affected by this order:

New: WAC 192-150-165, WAC 192-150-235, and WAC 192-170-055

Repealed:

Amended: WAC 192-150-055, WAC 192-170-010, and WAC 192-320-078

Suspended:

Statutory authority for adoption: RCW 50.12.010 and RCW 50.12.040 provide general rulemaking authority to the Employment Security Department. RCW 50.20.010 defines benefit eligibility conditions for unemployment benefits.

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 23-09-077 on April 19, 2023 (date).

Describe any changes other than editing from proposed to adopted version: Proposed WAC 192-170-010(6) has been changed to refer to "RCW 50.20.010(1)(c)" instead of "subsection (1)(c) of this section." This change is necessary to correct a drafting error, so the subsection refers to the availability requirement more generally as opposed to a narrow piece of the overall availability rule.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	Amended	Repealed
Federal rules or standards:	New	Amended	Repealed
Recently enacted state statutes:	New	Amended	Repealed

The number of sections adopted at the request of a nongovernmental entity:

New	Amended	Repealed
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The number of sections adopted on the agency's own initiative:

New	<u>3</u>	Amended	<u>3</u>	Repealed
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>3</u>	Amended	<u>3</u>	Repealed
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The number of sections adopted using:

Negotiated rule making:	New	Amended	Repealed
Pilot rule making:	New	Amended	Repealed
Other alternative rule making:	New	Amended	Repealed

Date Adopted: July 5, 2023

Name: Joy Adams

Title: Interim Director, Employment System Policy & Integrity Division

Signature:

