



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 13, 2023

TIME: 9:52 AM

WSR 23-23-076

Agency: Employment Security Department

Subject of possible rule making: Employment Security Department currently runs three programs; State Unemployment Insurance, WA Cares, and Paid Family Medical leave. As part of its duties, the Department receives payments from employers for each program. This rulemaking will address how payments will be allocated across these programs.

Statutes authorizing the agency to adopt rules on this subject: RCW 50.12.010, 50.12.040, 50.24.010, 50A.10.030, 50A.05.060, 50B.04.020, 50B.04.080.

Reasons why rules on this subject may be needed and what they might accomplish: Employment Security Department currently runs three programs; State Unemployment Insurance, WA Cares, and Paid Family and Medical Leave. As part of its duties, the Department receives payments from employers for each program. Occasionally, a payment is sent to the Department that does not indicate what program(s) the payment was intended. There are currently no rules addressing how employer payments are allocated across these programs. Therefore, Employment Security Department is engaging in rulemaking to add rules that will address how payments will be allocated across these programs.

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:

Name: Lawrence Larson
 Address: P.O. Box 9046
 Phone: 360.890.3460
 Fax: 844-652-7096
 TTY: Relay 711
 Email: Lawrence.larson@esd.wa.gov
 Web site: <https://esd.wa.gov/newsroom/rulemaking/>
 Other:

(If necessary)

Name:
 Address:
 Phone:
 Fax:
 TTY:
 Email:
 Web site:
 Other:

Additional comments:

Date: November 13, 2023	Signature:  Place signature here
Name: Joy Adams	
Title: Employment Security Acting Policy Director	