

**Employment Security Department**

**Update on Unemployment Insurance Rulemaking (October 14, 2019)**

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>.

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| **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 Chapter 192-170 | Establishing limited circumstances for when individuals can claim unemployment benefits while in another country | Filed March 14, 2019, in WSR 19-07-041 | Expected October 2019 | Expected January 2020 |
| Unemployment Insurance Benefits | WAC 192-110-015 | Permitting individuals to backdate requests for standby | Filed March 6, 2019, in WSR 19-06-088 | Filed September 11, 2019 in WSR 19-19-031 (Hearing October 24, 2019) | Expected February 2020 |
| Unemployment Insurance Benefits | To be determined | Modifying unemployment eligibility requirements for individuals caring for children and vulnerable adults | Filed May 20, 2019, in WSR 19-11-095 (withdrawn August 28, 2019). Refiled August 28, 2019, in WSR 19-18-021 | Expected December 2019 | Expected March 2020 |
| Unemployment Insurance Benefits | WAC 192-170-010, 192-180-005, 192-180-010 | Modifying unemployment insurance benefit eligibility requirements for electrical apprentices | Filed June 21, 2019, in WSR 19-14-016 | Filed October 14, 2019 in WSR 19-21-082 (Hearing December 3, 2019) | Expected June 2020 |

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| Unemployment Insurance Benefits | WAC 192-190-020, 192-190-025 | Clarifying that any pension payments that an unemployment claimant receives should be deducted from the claimant’s weekly benefit amount and not deducted from the claimant’s maximum benefits payable. | Filed July 24, 2019, in WSR 19-15-145 | Filed September 17, 2019 in WSR 19-19-065 (Hearing October 24, 2019) | Expected December 2019 |
| Unemployment Insurance | To be determined | Modifying the substantive Employment Security Department public disclosure and privacy rules | Filed August 1, 2019, in WSR 19-16-085 | To be determined | To be determined |
| Unemployment Insurance  | To be determined | Updating procedural rules regarding processing of public records requests | Filed August 26, 2019, in WSR 19-18-010 | To be determined | To be determined |
| Unemployment Insurance Benefits | WAC 192-170-080 | Updating the status of “leave of absence” in relation to unemployment insurance benefit qualifications. | N/A | CR 105 filed October 9, 2019 in WSR 19-21-043 | Expected January 2020 |
| Unemployment Insurance | WAC 192-04-180 | Permitting appellants the right to file a motion to vacate a default order | CR 101 Filed September 26, 2019, in WSR 19-20-053 | Expected November 2019 | Expected January 2020 |
| Unemployment Insurance Benefits | WAC 192-100-070 | Clarifying that the definition of conditional payments applies to all times the department is questioning a claimant’s legal entitlement to benefits | CR 101 Filed October 14, 2019, in WSR 19-21-074 | Expected November 2019 | Expected January 2020 |
| Unemployment Insurance Benefits | WAC 192-200-005 | Updating the definition of benefit week for students to match references to benefit week in other WACs. | To be determined | To be determined | To be determined |
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| Unemployment Insurance Benefits | WAC 192-310-040 | Clarifying the exempt status of paid time off for reasons related to domestic violence, sexual assault or stalking, and when faced with the closure of a workplace, school, or place of care by a public official for health reasons. | To be determined | To be determined | To be determined |