



Employment Security Department Semi-Annual Rulemaking Agenda (January 2019 – July 2019)

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 192-140-090	Modifying requirements for claimant directives to participate in reemployment services	Filed November 13, 2018 at WSR 18-23-028	January 23, 2019	Expected February-March 2019
Unemployment Insurance Benefits	WAC Chapter 192-170	Establishing limited circumstances for when individuals can claim unemployment benefits while in another country	To be determined	To be determined	To be determined
Unemployment Insurance Benefits	WAC 192-110-015	Permitting individuals to backdate requests for standby	To be determined	To be determined	To be determined
Unemployment Insurance Benefits	To be determined	Modifying unemployment eligibility requirements for individuals caring for children and vulnerable adults	To be determined	To be determined	To be determined

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 31, 2019
TIME: 1:59 PM

WSR 19-04-066

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)
Paid Family and Medical Leave Phase 3 Benefit applications, benefit eligibility, and other topics as needed.	Amending WAC 192-510-010 and 192-510-065, creating new sections, and possibly amending additional sections if needed.	Rulemaking to implement the new Paid Family and Medical Leave Act is taking place in several phases. This constitutes phase 3 and rulemakes on benefit applications, benefit eligibility, and other topics as needed.	Filed July 31, 2018, as WSR 18-16-088.	Filed January 7, 2019, as WSR 19-03-035.	Expected March 2019.
Paid Family and Medical Leave Phase 4 Continuation of benefits, fraud, and other topics as needed.	Creating new sections and possibly amending existing sections if needed.	Rulemaking to implement the new Paid Family and Medical Leave Act is taking place in several phases. This constitutes phase 4 and rulemakes on the continuation of benefits, fraud, and other topics as needed.	Filed October 3, 2018, as WSR 18-21-003.	Expected March 2019.	Expected June 2019.
Paid Family and Medical Leave Phase 5 Job protections, overpayments, collections, and other topics as needed.	Creating new sections and possibly amending existing sections if needed.	Rulemaking to implement the new Paid Family and Medical Leave Act is taking place in several phases. This constitutes phase 5 and rulemakes on job protections, overpayments, collections, and other topics as needed.	Filed January 3, 2019, as WSR 19-03-007.	Expected May 2019.	Expected July 2019.

Paid Family and Medical Leave Phase 6 Appeals and other topics as needed.	Creating new sections and possibly amending existing sections if needed.	Rulemaking to implement the new Paid Family and Medical Leave Act is taking place in several phases. This constitutes phase 6 and rulemakes on appeals and other topics as needed.	Expected April 2019.	Expected August 2019.	Expected November 2019.
Paid Family and Medical Leave	To be determined	Additional rulemaking may be needed after the legislative session and after the completion of all other rulemaking phases.	To be determined	To be determined	To be determined

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 information 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, Christina Streuli, at 360-791-6710, or email at rules@esd.wa.gov.