

[Statutory Authority: RCW 43.70.040. 95-12-010, § 182-20-300, filed 5/26/95, effective 6/26/95.]

WAC 182-20-320 Audit review. Contractors shall:

(1) Maintain books, records, documents, and other materials relevant to the provision of goods or services adequate to document the scope and nature of the goods or services provided;

(2) Make the materials in subsection (1) of this section available at all reasonable times with prior notice for inspection by the authority;

(3) Retain these materials for at least three years after the initial contract with the authority;

(4) Provide access to the facilities at all reasonable times with prior notice for on-site inspection by the authority; and

(5) Submit annual reports consistent with the instructions of the authority.

[Statutory Authority: RCW 43.70.040. 95-12-010, § 182-20-320, filed 5/26/95, effective 6/26/95.]

WAC 182-20-400 Limitations on awards. Specific to the medical, dental, and migrant base as referenced in WAC 182-20-200 (1)(b), (2)(b), and (3)(b):

(1) Until June 30, 1995:

(a) Any approved contractor shall initially receive no more than one hundred ten percent of that contractor's previous year's initial allotment.

(b) Any approved contractor shall initially receive no less than ninety percent of that contractor's previous year's initial allotment. In the event that funding is inadequate to provide ninety percent, criteria shall be established to equitably allocate the available funds.

(c) Funds in excess of the initial allocation shall be distributed in a supplemental allotment pursuant to WAC 182-20-200.

(2) Between July 1, 1995, and June 30, 1996:

(a) Any approved contractor shall initially receive no more than one hundred twenty-five percent of that contractor's previous year's initial allotment.

(b) Any approved contractor shall initially receive no less than eighty-five percent of that contractor's previous year's initial allotment. In the event that funding is inadequate to provide eighty-five percent, criteria shall be established to equitably allocate the available funds.

(c) Funds in excess of the initial allocation shall be distributed in a supplemental allotment pursuant to WAC 182-20-200.

(3) Between July 1, 1996, and June 30, 1997:

(a) Any approved contractor shall initially receive no more than one hundred twenty-five percent of that contractor's previous year's initial allotment.

(b) Any approved contractor shall initially receive no less than eighty percent of that contractor's previous year's initial allotment. In the event that funding is inadequate to provide eighty percent, criteria shall be established to equitably allocate the available funds.

(c) Funds in excess of the initial allocation shall be distributed in a supplemental allotment pursuant to WAC 182-20-200.

(4) Starting July 1, 1997:

(a) Any approved contractor shall initially receive no more than one hundred twenty-five percent of that contractor's previous year's initial allotment.

(b) Any approved contractor shall initially receive no less than seventy-five percent of that contractor's previous year's initial allotment. In the event that funding is inadequate to provide seventy-five percent, criteria shall be established to equitably allocate the available funds.

(c) Funds in excess of the initial allocation shall be distributed in a supplemental allotment pursuant to WAC 182-20-200.

[Statutory Authority: RCW 43.70.040. 95-12-010, § 182-20-400, filed 5/26/95, effective 6/26/95.]

Title 192 WAC

EMPLOYMENT SECURITY DEPARTMENT

Chapters

- 192-04 Practice and procedure.**
- 192-12 Substantive rules.**
- 192-16 Interpretative regulations of the commissioner of the employment security department.**
- 192-23 Benefit payment regulations.**
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- 192-32 Timber retraining benefits and related programs.**
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Chapter 192-04 WAC

PRACTICE AND PROCEDURE

WAC

- 192-04-060 Appeals—Petitions for hearing—Petitions for review—Time limitation—Forms.
- 192-04-063 Aggrieved party.
- 192-04-090 Untimely appeals—Petitions for hearing or petitions for review—Good cause.
- 192-04-170 Decision of commissioner—Petition for review—Filing—Reply.
- 192-04-175 Advisement order.

WAC 192-04-060 Appeals—Petitions for hearing—Petitions for review—Time limitation—Forms. Any interested party who is aggrieved by any decision of the department set forth in WAC 192-04-050 may file a written appeal or petition for hearing in person at, or by mailing it to, any job service center or district tax office or the unemployment compensation agency in any other state or territory in which he or she then resides. The appeal or petition for hearing shall be filed within thirty days of the date the decision is delivered or mailed, whichever is the earlier. If the appeal and/or petition for hearing is mailed, it shall be filed in accordance with the provisions of RCW 50.32.025.

Any interested party who is aggrieved by a decision of the office of administrative hearings, other than an order approving a withdrawal of appeal, an order approving a withdrawal of a petition for hearing, a consent order, or an interim order, may file a written petition for review in accordance with the provisions of WAC 192-04-170. The petition for review shall be filed within thirty days of the date of delivery or mailing of the decision of the office of administrative hearings, whichever is the earlier. If the petition for review is mailed it shall be filed in accordance with the provisions of RCW 50.32.025.

At the request of an interested, aggrieved party, the employment security department shall furnish forms for the filing of a notice of appeal, petition for hearing, or petition for review, but the use of such forms is not a jurisdictional requirement.

[Statutory Authority: RCW 50.12.010, [50.12.]040 and RCW 34.05.310 et seq. 95-18-055, § 192-04-060, filed 8/31/95, effective 10/1/95. Statutory Authority: RCW 50.12.010 and 50.12.040. 89-24-030, § 192-04-060, filed 11/30/89, effective 1/1/90.]

WAC 192-04-063 Aggrieved party. An aggrieved party is a claimant or an employer who receives an adverse decision of the department set forth in WAC 192-04-050 or an adverse decision of the office of administrative hearings.

[Statutory Authority: RCW 50.12.010, [50.12.]040 and RCW 34.05.310 et seq. 95-18-055, § 192-04-063, filed 8/31/95, effective 10/1/95.]

WAC 192-04-090 Untimely appeals—Petitions for hearing or petitions for review—Good cause. (1) The following factors shall be considered in determining whether good cause exists under RCW 50.32.075 for the late filing of an appeal, petition for hearing or petition for review:

- (a) The length of the delay,
- (b) The excusability of the delay, and
- (c) Whether acceptance of the late filed appeal, petition for hearing, or petition for review will result in prejudice to other interested parties, including the department.

(2) In determining the excusability for the late filing of an appeal, petition for hearing or petition for review, the office of administrative hearings or the commissioner's review office shall take into account any physical, mental, educational or linguistic limitations of the appealing or petitioning party, including any lack of facility with the English language.

[Statutory Authority: RCW 50.12.010, [50.12.]040 and RCW 34.05.310 et seq. 95-18-055, § 192-04-090, filed 8/31/95, effective 10/1/95. Statutory Authority: RCW 50.12.010 and 50.12.040. 89-24-030, § 192-04-090, filed 11/30/89, effective 1/1/90.]

WAC 192-04-170 Decision of commissioner—Petition for review—Filing—Reply. (1) The written petition for review shall be filed in person at any job service center or by mailing it to the agency records center of the employment security department within thirty days of the date of mailing or delivery of the decision of the office of administrative hearings, whichever is the earlier. Out-of-state residents may file the petition for review in person at the unemployment compensation agency of the state or territory in which they then reside or by mailing it to the agency records center of the employment security department

within thirty days of the date of the mailing or delivery of the decision of the office of administrative hearings, whichever is the earlier.

(2) Any written argument in support of the petition for review must be attached to the petition for review and be filed contemporaneously therewith. The commissioner's review office will acknowledge receipt of the petition for review by assigning a review number to the case, entering the review number on the face of the petition for review, and setting forth the acknowledgement date on the petition for review. The commissioner's review office will also mail copies of the acknowledged petition for review and attached argument in support thereof to the petitioning party, nonpetitioning party and their representatives of record, if any.

(3) Any reply to the petition for review and any argument in support thereof by the nonpetitioning party shall be filed in person at, or mailed to, the commissioner's review office. The reply must be received by the commissioner's review office within fifteen days of the date of mailing of the acknowledged petition for review. An informational copy shall be mailed by the nonpetitioning party to all other parties of record and their representatives, if any.

(4) The petition for review and argument in support thereof and the reply to the petition for review and argument in support thereof shall:

(a) Be captioned as such, set forth the docket number of the decision of the office of administrative hearings, and be signed by the party submitting it or by his or her representative.

(b) Be legible, reproducible and five (5) pages or less.

(5) Arrangements for representation and requests for copies of the hearing record and exhibits will not extend the period for the filing of a petition for review, argument in support thereof, or a reply to the petition for review.

(6) Any argument in support of the petition for review or in reply thereto not submitted in accordance with the provisions of this regulation shall not be considered in the disposition of the case absent a showing that failure to comply with these provisions was beyond the reasonable control of the individual seeking relief.

[Statutory Authority: RCW 50.12.010, [50.12.]040 and RCW 34.05.310 et seq. 95-18-055, § 192-04-170, filed 8/31/95, effective 10/1/95. Statutory Authority: RCW 50.12.010 and 50.12.040. 89-24-030, § 192-04-170, filed 11/30/89, effective 1/1/90.]

WAC 192-04-175 Advisement order. On behalf of the commissioner, the commissioner's review office may prevent finality of any decision of the office of administrative hearings and take jurisdiction of the proceedings for review thereof by issuing an order so providing and mailing a copy of the advisement order to the parties of record and their representatives within the same period allowed for the filing of a petition for review. The parties of record will be given fifteen days to submit argument in support of or in opposition to the decision of the office of administrative hearings, as well as in response to any departmental memorandum suggesting to the commissioner's review office that it consider taking a decision of the office of administrative hearings under advisement. That argument and/or response from the parties of record must be hand delivered or mailed

to the commissioner's review office and received by that office within fifteen days from the date of mailing of the order taking the decision of the office of administrative hearings under advisement.

[Statutory Authority: RCW 50.12.010, [50.12.]040 and RCW 34.05.310 et seq. 95-18-055, § 192-04-175, filed 8/31/95, effective 10/1/95.]

Chapter 192-12 WAC SUBSTANTIVE RULES

WAC

192-12-130	Unemployment benefits for interstate claimants.
192-12-141	Applying for unemployment benefits.
192-12-184	Training—Unemployment benefits while pursuing training.
192-12-190	Directive to attend job search workshop or training or retraining course according to RCW 50.20.044.
192-12-320	Mailing of determination notices under RCW 50.20.180.
192-12-340	Discharges for misconduct for felony or gross misdemeanor—Responsibility for providing information.

WAC 192-12-130 Unemployment benefits for interstate claimants. (1) **What is an "interstate claimant"?** An "interstate claimant" is a person who files a claim for one state's unemployment benefits from another state. For example:

(a) You are an interstate claimant if you live in Oregon and file a claim in Oregon for Washington state benefits.

(b) You are an interstate claimant if you live in Washington and file a claim in Washington for benefits from Oregon.

(c) You are NOT an interstate claimant if you live in Oregon but file your claim for Washington benefits in a Washington state employment security office; this is because your claim was filed in the same state that will be paying your benefits.

The state where you file your claim is called an "agent state". The state that pays your claim is the "liable state".

(2) **Where can I apply for benefits?** You can file your application in any state, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, or Canada.

(3) **How do I apply for benefits?**

(a) If you are applying in Washington, you must file your application in person at an employment security office.

(b) If you are applying in another state, you must file your application as required by that state.

(4) **Who decides if I am eligible for benefits?** Every state has its own laws which control who is eligible for benefits. If you file a claim for Washington benefits, your eligibility for benefits will be decided by Washington state law even if you file in another state. If you file for benefits against another state, your eligibility for benefits will be decided under that state's laws.

(5) **Do I have to register for work?** You must register for work in the state in which you filed your claim.

(6) **When can I apply for benefits?** You can apply for benefits at any time, even if you are working. However, if you already have a valid claim in one state, you must continue with that claim as long as benefits are available before a new claim against another state can be paid. A

"valid" claim is one that has not been denied, terminated, or the benefits exhausted (paid out).

(7) **How do I file my claim?**

(a) If you are applying for Washington benefits, mail your completed claim form directly to the interstate office of the Washington state employment security department.

(b) If you are applying for benefits against another state, mail your completed claim form directly to the address provided for the liable state.

(c) Once your claim is established, you will be instructed to continue filing by mail or by telephone.

(8) **How often must I file my claim?**

(a) If you are filing for Washington benefits, file your claim each week unless you are instructed to file on a biweekly basis.

(b) If you are filing against another state, file your claim according to the schedule and method directed by that state.

(9) **When is a claim for Washington benefits considered late?**

(a) Until you receive your first payment, your claim is considered late if it is filed more than seven days (one week) after the Saturday of the week being claimed. You will not be paid for these weeks unless you can prove you had a good reason for filing late.

(b) After you have received your first payment, your claim is considered late if it is filed more than 28 days (four weeks) after the Saturday of the last week being claimed. Any week or weeks that are filed late will be conditionally paid. This means you will be paid benefits, but you will be asked to prove you had a good reason for filing late. If you cannot do so, you will receive a notice telling you to repay benefits for the week(s) you filed late.

(10) **How do I file an appeal?** If you wish to file an appeal regarding your claim, you can do so by:

(a) Mailing your appeal directly to the liable state. Your appeal will be considered filed on the postmarked date; or

(b) Filing your appeal with the agent state, which will forward it to the liable state. Your appeal will be considered filed on the date it is received by the agent state.

All appeal hearings will be conducted by the liable state by telephone. The liable state will notify you of the date, time, and telephone number.

[Statutory Authority: RCW 50.12.010, [50.12.]040, 50.20.010, [50.20.]140 and 50.12.050. 95-18-107, § 192-12-130, filed 9/6/95, effective 10/7/95; Rule 12, adopted 6/10/53, effective 6/20/53.]

WAC 192-12-141 Applying for unemployment benefits. (1) If you apply for Washington state benefits in another state, follow the instructions in WAC 192-12-130. If you apply for benefits in Washington state, follow the instructions below.

(2) **How do I apply for benefits?** You must file your application for benefits in person at a Washington state employment security office. You may apply at any time, even if you are working. Your claim is effective the first week you report to the office.

(3) **Do I have to register for work?** You must register for work unless you are partially unemployed or on standby. (See WAC 192-12-150.)

(4) **Will I receive benefits immediately?** The first week you are eligible for benefits is your waiting week. You will not be paid for this week.

(5) **Do I continue to file a claim for benefits?** You must file a claim as instructed for all weeks for which you want to be paid. Every week begins on Sunday and ends at midnight on Saturday. Your claim must be filed after the end of the week(s) you are claiming.

(a) **What information do I report on my claim form?** The claim form must contain:

(i) The Saturday date(s) of the week(s) you are claiming;

(ii) Answers to the questions (your claim will be considered legal if at least one question is answered);

(iii) Your signature or, if filing by telephone, your personal identification number;

(iv) The amount and source of any pension you are receiving for the week claimed;

(v) Any holiday earnings received during the week claimed;

(vi) Any vacation pay received during the week claimed, and the dates for which such pay was accrued; and

(vii) Any earnings and the number of hours you worked during the week claimed, unless you are not eligible for benefits because you are fully employed.

A claim that does not meet these requirements is incomplete and will be returned to you with a request for additional information.

(b) **How do I file my claim?** When you apply, you will be told to file your claim in person, by mail, or by telephone. If you file by mail, the claim is considered filed on the postmarked date.

(c) **How often must I file my claim?** When you apply, you will be told to file weekly or biweekly.

(i) If you file weekly, you will claim the week which ended the preceding Saturday.

(ii) If you file biweekly, you will claim the two weeks which ended on the preceding Saturday.

(iii) Other filing schedules can be authorized for the purpose of study, in cases of emergency, or where unusual circumstances make weekly or biweekly filing difficult.

(6) **Are there other times when I am required to report in person?** You may be instructed to report in person for any reason. If you do not report, you will not receive benefits for that week, except:

(a) If you return to work and cannot report in person as instructed, you can file your claim by mail;

(b) If you have been instructed to file in person on a Friday (or the last business day of a week), you can file your claim on the next business day; or

(c) When you can show you had good cause for not reporting in person. "Good cause" includes factors which would cause another person in similar circumstances to be unable to report as directed.

(7) **When is my claim considered late?** (a) Until you receive your first payment, your claim is considered late if it is filed more than seven days (one week) after the Saturday of the last week being claimed. You will not be paid for these weeks unless you can prove you had a good reason for filing late.

(b) After you have received your first payment, your claim is considered late if it is filed more than 28 days (four weeks) after the Saturday of the last week being claimed. Any week or weeks that are filed late will be conditionally paid. This means you will be paid benefits, but you will be asked to prove you had a good reason for filing late. If you cannot do so, you will receive a notice directing you to repay benefits for the week(s) you filed late.

(8) **How do I reopen my claim?** If you have stopped filing claims for one or more weeks, you must report in person to reopen your claim. Other methods for reopening claims can be authorized by the department as needed.

[Statutory Authority: RCW 50.12.010, [50.12.]040, 50.20.010, [50.20.]140 and 50.12.050. 95-18-107, § 192-12-141, filed 9/6/95, effective 10/7/95. Statutory Authority: RCW 50.12.010 and 50.12.040. 93-10-025, § 192-12-141, filed 4/28/93, effective 5/29/93; 87-12-021 (Order 2-87), § 192-12-141, filed 5/28/87, effective 8/30/87; Order 2-75, § 192-12-141, filed 2/10/75.]

WAC 192-12-184 Training—Unemployment benefits while pursuing training. The commissioner prescribes the following:

(1) Training shall be full-time and the training facility will determine whether the claimant is enrolled in training on a full-time basis and whether he or she is making satisfactory progress.

(2) The claimant shall notify the department if he or she discontinues or suspends the training, or reduces enrollment to less than full-time.

(3) If enrollment drops below full-time or satisfactory progress is not being made, the claimant may be required to show that he or she is meeting the availability for work and active search for work requirements of RCW 50.20.010(3) and the provisions of RCW 50.20.080 relating to failure to apply for, or refusal to accept suitable work.

(4) For the purposes of RCW 50.20.050(3), participation in training previously approved by the commissioner works an unreasonable hardship on the individual when he or she would be required to continue in employment beyond the start or resumption date of the training.

[Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010. 95-09-085, § 192-12-184, filed 4/19/95, effective 5/20/95. Statutory Authority: RCW 50.12.010 and 50.12.040. 93-16-053, § 192-12-184, filed 7/29/93, effective 8/29/93; 80-10-052 (Order 4-80), § 192-12-184, filed 8/6/80; Order 2-73, § 192-12-184, filed 11/15/73.]

WAC 192-12-190 Directive to attend job search workshop or training or retraining course according to RCW 50.20.044. (1) The commissioner may direct a claimant, in writing, to attend a job search workshop or training or retraining course if the commissioner finds that a claimant's chance to become reemployed will be enhanced by enrollment in a job search workshop, training or retraining course.

(2) The department shall not direct a claimant to attend a job search workshop, training or retraining course, if:

(a) The individual has a verifiable bona fide job offer beginning within two weeks; or

(b) The workshop or training location is outside the individual's labor market; or

(c) Cost of child care, transportation, or other training related expense would substantially exceed the costs of

conducting an active work search and would result in an unreasonable hardship on the individual; or

(d) Attendance at the workshop or course would work an unreasonable hardship on the individual; or

(e) The individual is a member in good standing of a full referral union, unless such individual is also being required to begin an independent search for work or has been identified as a dislocated worker as defined in RCW 50.04.075.

(3) Directives to attend training or retraining courses will be subject to periodic review of appropriateness of attendance in courses exceeding three weeks in duration.

(4) An individual who has received a directive and who fails without good cause to attend a substantial portion of the training course or workshop during a week will be ineligible for the entire week. Good cause shall include illness or disability of the claimant or the claimant's immediate family, or claimant's presence at a job interview scheduled with an employer. Reasons for absence shall be subject to verification.

(5) An individual attending a job search workshop shall not be ineligible as the result of such attendance for failure to be available for work or to actively seek work under the provisions of:

(a) RCW 50.20.010(3); or

(b) RCW 50.22.020(1).

(6) An individual attending a training or retraining course resulting from a directive shall not be ineligible as the result of such attendance for failure to seek work or failure to apply for or to accept work under the provisions of:

(a) RCW 50.20.010(3);

(b) RCW 50.20.080; or

(c) RCW 50.22.020 (1).

(7) Definitions. For purposes of this regulation:

(a) "Available at public expense" means a job search workshop, training or retraining course that is offered at no expense to the individual by:

(i) The employment security department; or

(ii) Any other governmental or publicly funded organization; or

(iii) Any organization offering a job search workshop or training or retraining program funded privately, but open to the general public; or

(iv) Any educational institution, if expenses are paid by the institution, by a grant to the institution, or a grant to the individual for training expenses.

(b) "Unreasonable hardship" means a result, not due to the individual's voluntary action, that would cause a reasonable person to be unable to attend.

[Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010. 95-09-085, § 192-12-190, filed 4/19/95, effective 5/20/95. Statutory Authority: RCW 50.20.044. 84-24-061 (Order 6-84), § 192-12-190, filed 12/5/84.]

WAC 192-12-320 Mailing of determination notices under RCW 50.20.180. (1) The claimant will be mailed a notice of determination

(a) That denies the claimant benefits; or

(b) That allows benefits and is also mailed to an employer.

(2) The last employer will be mailed a determination notice if the claimant was separated from employment for reasons other than lack of work.

(3) Any employer from whom the claimant has a potentially disqualifying separation (without sufficient subsequent employment to purge a separation disqualification) will be mailed a determination notice if the claimant was separated from employment for reasons other than lack of work.

(4) A determination of eligibility will be made and a notice mailed to any employer since the beginning of the claimant's base year who provides information that the claimant was discharged as a result of a felony or gross misdemeanor connected with the work.

(5) A determination of eligibility for benefits based on an issue other than a separation from employment will be mailed to an employer if the employer provides relevant information relating to eligibility for a specific week.

[Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010. 95-09-085, § 192-12-320, filed 4/19/95, effective 5/20/95. Statutory Authority: RCW 50.12.010 and 50.12.040. 91-19-007, § 192-12-320, filed 9/6/91, effective 9/8/91; 89-20-064 (Order 4-89), § 192-12-320, filed 10/4/89, effective 10/9/89.]

WAC 192-12-340 Discharges for misconduct for felony or gross misdemeanor—Responsibility for providing information. In any separation where there is a potential disqualification under RCW 50.20.065 it is the responsibility of the employer to notify the department in a timely manner of any resolution of issues.

In any case where the employer has raised the potential of a disqualification under RCW 50.20.065 within ten days of receiving the notice required by WAC 192-12-310 and the department establishes that there is a possibility of such disqualification, the department will review the claimant's eligibility for benefits.

[Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010. 95-09-085, § 192-12-340, filed 4/19/95, effective 5/20/95. Statutory Authority: RCW 50.12.010 and 50.12.040. 89-20-064 (Order 4-89), § 192-12-340, filed 10/4/89, effective 10/9/89.]

Chapter 192-16 WAC

INTERPRETATIVE REGULATIONS OF THE COMMISSIONER OF THE EMPLOYMENT SECURITY DEPARTMENT

WAC

192-16-007	Repealed.
192-16-017	Interpretative regulations—Satisfying disqualifications under RCW 50.20.050 (1) and (4), 50.20.060 and 50.20.080.
192-16-019	Interpretative regulations—Effective date of RCW 50.20.065—Discharges for felony or gross misdemeanor.
192-16-021	Interpretative regulations—Suitable work factors—RCW 50.20.100.
192-16-025	Lump sum retirement payment.
192-16-050	Diversion of unemployment benefits to satisfy child support obligations.
192-16-065	Repealed.

DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER

- 192-16-007 Interpretative regulations—Disqualification for leaving work voluntarily—Effective date of RCW 50.20.050. [Order 2-77, § 192-16-007, filed 9/2/77.] Repealed by 95-09-085, filed 4/19/95, effective 5/20/95. Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010.
- 192-16-065 Interpretative regulations—Effective date of chapter 83, Laws of 1988. [Statutory Authority: RCW 50.12.010 and 50.12.040. 88-10-020 (Order 3-88), § 192-16-065, filed 4/29/88.] Repealed by 95-09-085, filed 4/19/95, effective 5/20/95. Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010.

WAC 192-16-007 Repealed. See Disposition Table at beginning of this chapter.

WAC 192-16-017 Interpretative regulations—Satisfying disqualifications under RCW 50.20.050 (1) and (4), 50.20.060 and 50.20.080. (1) The disqualification imposed by RCW 50.20.050 (1) and (4), 50.20.060, and 50.20.080 may be satisfied if the claimant demonstrates that:

(a) At least five calendar weeks have elapsed since the occurrence of the disqualifying act; and

(b) The individual has obtained work and earned wages of not less than five times his or her suspended weekly benefit amount: *Provided*, That the wages earned need not be in covered employment; however, the department must be satisfied that the employment is not a sham designed in whole or in part to avoid the effect of the disqualification.

(2) Claimants filing in other states who are ineligible for benefits under RCW 50.20.050(4) may requalify by:

(a) Reporting as described in RCW 50.20.050(4); or

(b) Reporting by mail to the interstate office of the department and certifying in each of ten different calendar weeks that the requirements of RCW 50.20.050(4) have been met.

[Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010. 95-09-085, § 192-16-017, filed 4/19/95, effective 5/20/95; Order 2-77, § 192-16-017, filed 9/2/77.]

WAC 192-16-019 Interpretative regulations—Effective date of RCW 50.20.065—Discharges for felony or gross misdemeanor. (1) Effective date. The provisions of RCW 50.20.065 are effective as to all discharges or suspensions occurring on July 3, 1993, and thereafter.

(2) Definitions.

(a) "Felony" means every crime which is defined as such by the applicable state or federal statutes.

(b) "Gross misdemeanor" means every crime which is defined as such by the applicable state or federal statutes.

(c) A "competent authority" may be:

(i) A court (including magistrate or court commissioner), prosecuting attorney, or law enforcement agency, or;

(ii) An assistant attorney general or an administrative law judge, or;

(iii) A regulatory agency or professional association charged by statute with maintaining professional standards or codes of conduct, or;

(iv) Any other person or body exclusive of the employer with authority to administer disciplinary action with regard to the claimant.

(d) Admissions of commission of a felony or gross misdemeanor to the employer or to an employee of the employment security department are not to be considered admissions to a competent authority for the purposes of RCW 50.20.065.

(3) Any individual who has been discharged because of a felony or gross misdemeanor of which he or she has been convicted or has admitted committing shall have all hourly wage credits based on that employment canceled when:

(a) The felony or gross misdemeanor is connected with the individual's work; and

(b) The admission is made to each and every element of the felony or gross misdemeanor which caused the individual to be discharged; and

(c) The admission is made to a competent authority.

[Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010. 95-09-085, § 192-16-019, filed 4/19/95, effective 5/20/95. Statutory Authority: RCW 50.12.010 and 50.12.040. 82-17-052 (Order 6-82), § 192-16-019, filed 8/17/82; Order 2-77, § 192-16-019, filed 9/2/77.]

WAC 192-16-021 Interpretative regulations—Suitable work factors—RCW 50.20.100. (1) Suitable work factors.

(a) Suitable work is employment in keeping with the individual's prior work experience, education, or training. If the individual lacks such prior work experience, education, or training or such employment is not available in the general area suitable work shall include any employment which the individual would have the physical and mental ability to perform.

(b) In addition to the considerations set forth above and those set forth in RCW 50.20.110, the department shall consider the following factors in determining whether work is suitable to an individual:

(i) The degree of risk involved to the individual's health, safety, and morals;

(ii) The individual's physical fitness;

(iii) The individual's length of unemployment and prospects for securing work in the individual's customary occupation;

(iv) The distance of the available work from the individual's residence; and

(v) The existence of any state or national emergency.

(2) Definition of general area. "General area" means an individual's labor market area and includes the geographic area within which an individual would customarily seek work in a given occupation.

[Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010. 95-09-085, § 192-16-021, filed 4/19/95, effective 5/20/95; Order 2-77, § 192-16-021, filed 9/2/77.]

WAC 192-16-025 Lump sum retirement payment.

(1) Lump sum payments as described in RCW 50.04.323(3) will be prorated over the life expectancy of the individual in accordance with Table I in Regulation 1.72-9 of the Internal Revenue Code as amended as of the effective date of the individual's benefit year, and the prorated amount deducted from benefits.

(2) The withdrawal, upon separation from employment, of only the funds, and interest thereon, contributed to a

retirement pension by an individual will not serve to reduce benefits.

(3) When an individual receives a lump sum retirement payment and transfers it within sixty days to another long-term retirement plan, such as an Individual Retirement Account (IRA), the portion reinvested is not deductible from benefits.

[Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010. 95-09-085, § 192-16-025, filed 4/19/95, effective 5/20/95. Statutory Authority: RCW 50.12.010 and 50.12.040. 80-10-052 (Order 4-80), § 192-16-025, filed 8/6/80.]

WAC 192-16-050 Diversion of unemployment benefits to satisfy child support obligations. RCW 50.40.050 requires the department, upon proper notification by a child support agency, to withhold a portion of an individual's unemployment insurance benefits to be transmitted to the child support agency to satisfy child support obligations.

(1) Notification to claimant. The child support agency will serve notice on the claimant of the order to withhold unemployment insurance benefits.

(2) Overpayments. In the event an individual receives benefits to which he or she is not entitled, and those benefits are recoverable under the provisions of RCW 50.20.190, the overpayment will include the amount withheld and transmitted to the child support agency. The withheld benefits for child support obligations are considered to have been paid to the individual and then paid by the individual to the child support agency.

(3) Erroneous withholding. If an amount greater than the amount which should have been deducted from benefits is paid to the child support agency, that agency shall be responsible for reimbursing the individual claimant for any amount in excess of the amount properly received. If an amount less than the amount which should have been paid to the child support agency is withheld and paid, subsequent benefit entitlement of the claimant will be applied to satisfy the amount underpaid to the child support agency.

(4) Appeal rights.

(a) Any appeal regarding the validity of the child support obligation upon which the order to withhold is based including whether the obligation is owed, the total amount of obligation, and the amount to be withheld from benefits and paid over to the child support agency shall be resolved between the claimant and the child support agency. The employment security department will not be responsible for any appeals regarding such matters.

(b) Any appeal regarding the validity of the employment security department's authority to make deductions, the applicable weeks for which the deduction was made, and the accuracy of the amount deducted may be appealed in the same manner in which nonmonetary benefit determinations are appealed. The department's notification to the claimant shall contain an appeals notice. The laws and regulations relating to benefit appeals shall apply to appeals regarding matters subject to this regulation.

(5) Effective date of withholding. No amount shall be withheld from unemployment benefits paid for weeks prior to the date the notice to withhold is served on the individual, or prior to the date when an agreement to withhold is reached between the individual and the child support agency.

[Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010. 95-09-085, § 192-16-050, filed 4/19/95, effective 5/20/95. Statutory Authority: Chapter 50.40 RCW and 1982 1st ex.s. c 18. 82-13-057 (Order 3-82), § 192-16-050, filed 6/14/82.]

WAC 192-16-065 Repealed. See Disposition Table at beginning of this chapter.

Chapter 192-23 WAC BENEFIT PAYMENT REGULATIONS

WAC

192-23-019 Directive to report for reemployment services.

WAC 192-23-019 Directive to report for reemployment services. The commissioner may direct a claimant in writing to report in person for reemployment services as provided in RCW 50.20.010(5).

(1) **Exceptions.** An individual will not be required to participate in reemployment services if the individual:

(a) Is a member in good standing of a full referral union;

(b) Is partially unemployed or on standby as defined by WAC 192-12-150; or

(c) Within the previous year has completed, or is currently scheduled for or participating in, similar services.

(2) **Minimum services.** The services will consist of one or more sessions which include, but are not limited to:

(a) Information about the local labor market;

(b) Information about available reemployment and retraining services;

(c) Successful job search attitudes;

(d) Self assessment of job skills and interests;

(e) Job interview techniques;

(f) The development of a resume or fact sheet; and

(g) The development of a plan for reemployment.

(3) **Sanctions.** An individual who has received a directive, and fails to participate in reemployment services during a week, will be disqualified from benefits for that week unless justifiable cause is demonstrated.

(4) **Justifiable cause.** Justifiable cause for failure to participate in reemployment services as directed will include factors specific to the individual which would cause a reasonable person in similar circumstances to fail to participate. Justifiable cause includes, but is not limited to:

(a) Illness or disability of the individual or the individual's immediate family;

(b) The individual's presence at a job interview scheduled with an employer; or

(c) Severe weather conditions precluding safe travel.

Reasons for absence will be subject to verification. In all such cases, the individual's ability or availability for work is an issue.

[Statutory Authority: RCW 50.12.010 and 50.12.040. 95-12-014, § 192-23-019, filed 5/30/95, effective 6/30/95.]

Chapter 192-28 WAC
RECOVERY OF BENEFIT OVERPAYMENTS

WAC

192-28-100	Repealed.
192-28-110	Recovery of benefit overpayment—Fault provisions.
192-28-120	Recovery of benefit overpayment—By repayment or offset against future benefits.

**DISPOSITION OF SECTIONS FORMERLY
 CODIFIED IN THIS CHAPTER**

192-28-100	Recovery of benefit overpayment—General provisions. [Statutory Authority: RCW 50.20.190, 50.12.010 and 50.12.040. 85-21-024 (Order 6-85), § 192-28-100, filed 10/10/85.] Repealed by 95-09-085, filed 4/19/95, effective 5/20/95. Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010.
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WAC 192-28-100 Repealed. See Disposition Table at beginning of this chapter.

WAC 192-28-110 Recovery of benefit overpayment—Fault provisions. (1) When an overpayment occurs, the department will make a finding of fault or nonfault based on information provided by the individual and/or by the employer and from information contained in the department's records. After reviewing all such information, the individual will be considered to be at fault when the overpayment is:

(a) The result of fraud, misrepresentation, wilful nondisclosure; or

(b) The result of a discharge for a felony or gross misdemeanor pursuant to the provisions of RCW 50.20.065; or

(c) Based on the presence of all of the following three elements:

(i) The individual was paid benefits in an amount greater than he or she was entitled to receive and he or she accepted and retained those benefits; and

(ii) The payment of these benefits was based on incorrect information or a failure to furnish information which the individual should have provided as outlined in the information for claimants booklet, claimant directives and other reasonable written communications issued by the department; or information which the individual caused another to fail to disclose; and

(iii) The individual had sufficient notice that the information should have been reported.

(2) In accordance with WAC 192-23-900, an individual who is overpaid as the result of a conditional payment is liable for repayment.

(3) The individual may be considered to be at fault, even though he or she provided the department with all material information prior to the issuance of an applicable benefit eligibility decision, if the overpayment is the result of payment that the individual should reasonably have known was improper. Following are some, but not all, examples of instances in which an individual should reasonably have known that a payment was improper and therefore is at fault. These are intended as examples only and do not mean that the department would rule in this manner in every such situation.

(a) The individual correctly reported earnings but the department paid benefits at the full amount or incorrectly deducted the earnings.

(b) The individual reported that he or she was unavailable for one or more customary work days, but the department paid at the full amount and the payment was not a conditional payment.

(c) The individual received a retroactive pension payment that he or she had applied for and was reasonably sure would be awarded.

(d) The individual did not inform the department that he or she was eligible for benefits on an unexpired claim against another state.

(e) A lower level decision was reversed by the office of administrative hearings, the commissioner or a court because of new information that the individual failed to disclose to the department.

(f) Other circumstances in which department fact finding indicates that the individual knew the payment was improper.

(4) In determining whether or not an individual is at fault, the department shall also consider education, mental abilities, emotional state, the individual's experience with claiming unemployment insurance and other elements of the individual's personal situation which affect his or her knowledge and ability to comply with reporting all material information that is relevant to benefit eligibility. This includes information contained in the information for claimants booklet, claimant directives and other reasonable written communications issued by the department.

(5) The individual will be considered without fault when he or she provided the department with all material information prior to the issuance of an applicable benefit eligibility decision and the overpayment is the result of payment that the individual would not reasonably have known was improper. Following are some, but not all, examples of instances in which an individual may not reasonably have known that a payment was improper and therefore is not at fault. These are intended as examples only and do not mean that the department would rule in this manner in every such situation.

(a) The department erroneously removed a payment stop, resulting in improper payment.

(b) The individual received a retroactive pension which was backdated by the pension source, not at the individual's request.

(c) A combined wage or federal claim was filed against Washington that should have been filed against another state.

(d) Extended benefits were paid by the department when the individual would have been eligible for a new claim against this or another state.

(e) A lower level decision, in which all information was provided by the individual, was reversed by the office of administrative hearings, the commissioner or a court.

(f) Other circumstances in which department fact finding indicates that the individual did not know the payment was improper.

(6) Fault and waiver are not considered if the individual agrees to an account adjustment as explained in WAC 192-28-120(4).

[Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010. 95-09-085, § 192-28-110, filed 4/19/95, effective 5/20/95. Statutory Authority: RCW 50.12.010 and 50.01.040 [50.12.040]. 88-10-021 (Order 4-88), § 192-

28-110, filed 4/29/88; 86-17-023 (Order 3-86), § 192-28-110, filed 8/12/86. Statutory Authority: RCW 50.20.190, 50.12.010 and 50.12.040. 85-21-024 (Order 6-85), § 192-28-110, filed 10/10/85.]

WAC 192-28-120 Recovery of benefit overpayment—By repayment or offset against future benefits.

(1) An overpayment may be recovered either by offset or repayment by the individual in full or by paying the minimum monthly billed amount as defined in WAC 192-28-130. If not repaid by the individual, the amount assessed shall be deducted from benefits payable for any future week(s) claimed. If any recovery procedure is in conflict with federal regulations, the federal regulations shall apply.

(2) For overpayments that are final and assessed pursuant to RCW 50.20.010 because the individual asked to have his or her claim for unemployment insurance cancelled, the amount to be deducted will be one hundred percent of benefits payable for each past or future week(s) claimed. The department will ensure that the individual was properly informed of the advantages and/or disadvantages of cancelling an existing claim to file a new claim.

(3) When an individual enters into current claim status, the overpayment will not be offset from future weeks payable provided that the individual has not missed two or more payments, as determined by WAC 192-28-130, since the overpayment became final. If the individual has missed two or more payments, the overpayment will be offset in accordance with (a) and (b) of this subsection.

(a) For overpayments brought about by a denial pursuant to RCW 50.20.070 for fraud, misrepresentation, or wilful nondisclosure, the amount to be deducted will be one hundred percent of benefits payable for each future week(s) claimed. Such overpayments will be recouped before any other overpayment the individual may have.

(b) For all other overpayments, the amount to be deducted will be fifty percent of benefits payable for each future week claimed. Provided, that at the request of the individual, an overpayment can be repaid at one hundred percent of benefits payable for each future week claimed.

(4) At the request of the individual, an overpayment may be repaid by account adjustment without an overpayment assessment if both the individual and the department agree to the circumstances, the amount of the overpayment and the method of repayment. If an individual agrees to an account adjustment, he or she can repay the overpayment by authorizing the department to deduct past and/or future benefits payable. No account adjustment action will be taken until the individual has been advised of his or her rights and has been given an opportunity to be heard on the overpayment issue. All individuals will be advised in writing of their right to a formal overpayment assessment, the possibility of waiver and their appeal rights. The individual can ask for and the department will issue a formal overpayment assessment even after an account adjustment has been completed.

(5) For an overpayment assessed by another state, the amount to be deducted for the other state will be as follows:

(a) For overpayments brought about by a denial for fraud, misrepresentation, or wilful nondisclosure, the amount to be deducted will be one hundred percent of benefits payable for each future week(s) claimed. Such overpay-

ments will be recouped before any other overpayment the individual may have.

(b) For all other overpayments, the amount to be deducted will be fifty percent of benefits payable for each future week claimed. Provided, that at the request of the individual, an overpayment can be repaid at one hundred percent of benefits payable for each future week claimed.

(6) Those individuals who have been denied waiver, as well as those individuals for whom waiver was not considered, will be notified in writing of their right to enter into a payment agreement with the department or to make an offer in compromise. Offers in compromise will not be approved for individuals whose overpayment was brought about by a denial pursuant to RCW 50.20.065 or 50.20.070 unless there are unusual circumstances which would justify a compromise.

[Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010. 95-09-085, § 192-28-120, filed 4/19/95, effective 5/20/95. Statutory Authority: RCW 50.12.010 and 50.01.040 [50.12.040]. 88-10-021 (Order 4-88), § 192-28-120, filed 4/29/88; 86-17-023 (Order 3-86), § 192-28-120, filed 8/12/86. Statutory Authority: RCW 50.20.190, 50.12.010 and 50.12.040. 85-21-024 (Order 6-85), § 192-28-120, filed 10/10/85.]

Chapter 192-32 WAC

TIMBER RETRAINING BENEFITS AND RELATED PROGRAMS

WAC

192-32-001	Scope of chapter.
192-32-010	Definitions.
192-32-015	Interpretive rule—Effective date of RCW 50.22.090.
192-32-025	Post training benefits.
192-32-045	Unlikely to return to employment.

WAC 192-32-001 Scope of chapter. This chapter is intended to govern the implementation of employment security department responsibilities relating to the implementation of chapter 50.70 RCW and RCW 50.22.090. This includes the operation of programs authorized by these statutes and the determination of timber impact areas required by the statutes.

[Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010. 95-09-085, § 192-32-001, filed 4/19/95, effective 5/20/95. Statutory Authority: RCW 50.12.010, 50.12.040 and 1991 c 315 § 4. 91-20-012, § 192-32-001, filed 9/20/91, effective 10/21/91.]

WAC 192-32-010 Definitions. For the purpose of this chapter:

(1) "Actual job loss" means the absolute loss of jobs in SIC codes 24 as compared to the previous year as calculated by the department.

(2) "Actual or projected job loss" means the greater of actual job loss or projected job loss. The value of actual or projected job loss is that value released by the commissioner and filed for publication in the state register.

(3) "Annual unemployment rate" means the total unemployment rate calculated according to the method defined by the U.S. Department of Labor, Bureau of Labor Statistics. The information is considered available when released to the public by the commissioner of the employment security department. The value of the annual unem-

ployment rate is that value released by the commissioner and filed for publication in the state register.

(4) "Commissioner" means commissioner of the employment security department.

(5) "Department" means the employment security department.

(6) "Labor market" means the area in which workers of specific occupation customarily have found work. Labor market is based on the worker's place of residence and occupation.

(7) "Lumber and wood products location quotient" is determined by dividing the percentage of the average covered employment in lumber and wood products (SIC code 24) in the county by the percentage of the average covered employment in lumber and wood products (SIC code 24) statewide. The information is considered available when released by the commissioner. The value of the location quotient is the value released by the commissioner and filed for publication in the state register.

(8) "Projected job loss" means the estimated job loss in SIC codes 24 in the current year, compared to the previous year, as calculated by the department from information provided by the department of natural resources.

(9) "Targeted county" means a county selected by the criteria of RCW 50.22.090(2).

(10) "Timber retraining benefits," abbreviated TRB, means the unemployment insurance additional benefits authorized by RCW 50.22.090(3).

(11) "Wages" means wages earned in employment as defined in chapter 50.04 RCW. This means that only wages in covered employment can be considered in determining if a worker has earned wages in employment in the forest products industry.

[Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010. 95-09-085, § 192-32-010, filed 4/19/95, effective 5/20/95. Statutory Authority: RCW 50.12.010, 50.12.040 and 1991 c 315 § 4. 91-20-012, § 192-32-010, filed 9/20/91, effective 10/21/91.]

WAC 192-32-015 Interpretive rule—Effective date of RCW 50.22.090. (1) The first week for which timber retraining benefits will be payable will be the week beginning Sunday, July 21, 1991.

(2) Any exhaustee whose benefit year ends after July 21, 1991 may be considered as potentially eligible for timber retraining benefits if the other provisions of RCW 50.22.090 are met.

[Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010. 95-09-085, § 192-32-015, filed 4/19/95, effective 5/20/95. Statutory Authority: RCW 50.12.010, 50.12.040 and 1991 c 315 § 4. 91-20-012, § 192-32-015, filed 9/20/91, effective 10/21/91.]

WAC 192-32-025 Post training benefits. RCW 50.22.090 (3)(c) authorizes the payment of timber retraining benefits during the five week period following completion of training. These benefits do not serve to increase the total amount of training related benefits payable, but are included in the maximum amount payable calculated by subtracting regular and extended benefits from 52 times the worker's weekly benefit amount.

[Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010. 95-09-085, § 192-32-025, filed 4/19/95, effective 5/20/95. Statutory Authority:

RCW 50.12.010, 50.12.040 and 1991 c 315 § 4. 91-20-012, § 192-32-025, filed 9/20/91, effective 10/21/91.]

WAC 192-32-045 Unlikely to return to employment.

(1) For the purposes of paying timber retraining benefits, a worker will have met the unlikely to return to work requirement of RCW 50.22.090 (4)(b)(ii) if the tests in subsections (2) and (3) of this section are met.

(2) He or she has:

(a) Become unemployed due to a permanent plant closure;

(b) Received a federal WARN act notice; or

(c) Received a notice of indefinite layoff as a result of a permanent reduction of operations at the worker's place of employment;

(3) His or her skills are in diminishing demand in his or her principal occupation or previous industry.

(4) A worker will not be considered unlikely to return to work if he or she:

(a) Is on standby from the principal employer;

(b) Has a definite date of recall with the principal employer within six months; or

(c) Is unemployed due to a regular seasonal layoff.

(5) A worker who has been determined to be a dislocated worker by the local JTPA authority will be considered to have met the requirements of subsections (2) and (3) of this section.

[Statutory Authority: RCW 50.12.010, 50.12.040 and 50.20.010. 95-09-085, § 192-32-045, filed 4/19/95, effective 5/20/95. Statutory Authority: RCW 50.12.010, 50.12.040 and 1991 c 315 § 4. 91-20-012, § 192-32-045, filed 9/20/91, effective 10/21/91.]

Chapter 192-42 WAC

**FAMILY INDEPENDENCE PROGRAM
EMPLOYMENT, TRAINING, AND EDUCATION
RULES**

WAC

192-42-005	Repealed.
192-42-010	Repealed.
192-42-021	Repealed.
192-42-030	Repealed.
192-42-056	Repealed.
192-42-057	Repealed.
192-42-058	Repealed.
192-42-081	Repealed.

**DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER**

192-42-005	Duration of program. [Statutory Authority: Chapter 74.21 RCW, RCW 50.12.010 and 51.12.040. 88-12-051 (Order 5-88), § 192-42-005, filed 5/31/88, effective 7/1/88.] Repealed by 95-05-048, filed 2/10/95, effective 3/13/95. Statutory Authority: RCW 50.12.010 and 50.12.040.
192-42-010	Definitions. [Statutory Authority: RCW 50.12.010, 50.12.040 and chapter 74.21 RCW. 90-01-014, § 192-42-010, filed 12/11/89, effective 1/11/90. Statutory Authority: Chapter 74.21 RCW, RCW 50.12.010 and 51.12.040. 88-12-051 (Order 5-88), § 192-42-010, filed 5/31/88, effective 7/1/88.] Repealed by 95-05-048, filed 2/10/95, effective 3/13/95. Statutory Authority: RCW 50.12.010 and 50.12.040.
192-42-021	Orientation. [Statutory Authority: RCW 50.12.010, 50.12.040 and chapter 74.21 RCW. 90-01-014, § 192-42-021, filed 12/11/89, effective 1/11/90.] Repealed by 95-

- 05-048, filed 2/10/95, effective 3/13/95. Statutory Authority: RCW 50.12.010 and 50.12.040.
- 192-42-030 Employability plan. [Statutory Authority: RCW 50.12.010, 50.12.040 and chapter 74.21 RCW. 90-01-014, § 192-42-030, filed 12/11/89, effective 1/11/90. Statutory Authority: Chapter 74.21 RCW, RCW 50.12.010 and 51.12.040. 88-12-051 (Order 5-88), § 192-42-030, filed 5/31/88, effective 7/1/88.] Repealed by 95-05-048, filed 2/10/95, effective 3/13/95. Statutory Authority: RCW 50.12.010 and 50.12.040.
- 192-42-056 Criteria for approval of employment and training activities and funding. [Statutory Authority: RCW 50.12.010, 50.12.040 and chapter 74.21 RCW. 90-01-014, § 192-42-056, filed 12/11/89, effective 1/11/90.] Repealed by 95-05-048, filed 2/10/95, effective 3/13/95. Statutory Authority: RCW 50.12.010 and 50.12.040.
- 192-42-057 Notice of decisions. [Statutory Authority: RCW 50.12.010, 50.12.040 and chapter 74.21 RCW. 90-01-014, § 192-42-057, filed 12/11/89, effective 1/11/90.] Repealed by 95-05-048, filed 2/10/95, effective 3/13/95. Statutory Authority: RCW 50.12.010 and 50.12.040.
- 192-42-058 Job search allowance. [Statutory Authority: RCW 50.12.010, 50.12.040 and chapter 74.21 RCW. 90-01-014, § 192-42-058, filed 12/11/89, effective 1/11/90.] Repealed by 95-05-048, filed 2/10/95, effective 3/13/95. Statutory Authority: RCW 50.12.010 and 50.12.040.
- 192-42-081 Dispute resolution process. [Statutory Authority: RCW 50.12.010, 50.12.040 and chapter 74.21 RCW. 90-01-014, § 192-42-081, filed 12/11/89, effective 1/11/90.] Repealed by 95-05-048, filed 2/10/95, effective 3/13/95. Statutory Authority: RCW 50.12.010 and 50.12.040.

WAC 192-42-005 Repealed. See Disposition Table at beginning of this chapter.

WAC 192-42-010 Repealed. See Disposition Table at beginning of this chapter.

WAC 192-42-021 Repealed. See Disposition Table at beginning of this chapter.

WAC 192-42-030 Repealed. See Disposition Table at beginning of this chapter.

WAC 192-42-056 Repealed. See Disposition Table at beginning of this chapter.

WAC 192-42-057 Repealed. See Disposition Table at beginning of this chapter.

WAC 192-42-058 Repealed. See Disposition Table at beginning of this chapter.

WAC 192-42-081 Repealed. See Disposition Table at beginning of this chapter.

Title 196 WAC

PROFESSIONAL ENGINEERS AND LAND SURVEYORS, BOARD OF REGISTRATION FOR

Chapters

196-26 Registered professional engineers and land surveyors fees.

Chapter 196-26 WAC

REGISTERED PROFESSIONAL ENGINEERS AND LAND SURVEYORS FEES

WAC

196-26-020 Engineer and land surveyor fees and charges.

WAC 196-26-020 Engineer and land surveyor fees and charges. The following fees and charges shall be assessed by the business and professions division of the department of licensing: Examination charges shall be collected from examination candidates for examinations ordered from the national vendor on their behalf. The charges recovered by the department shall be refunded to the vendor for the costs of purchasing and grading exams.

Title of Fee and/or Charge	Amount
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Engineers:

Professional engineer application, examination, and certificate (\$60 exam charge; \$40 agency fee)	\$ 100.00
Structural engineer application, examination, and certificate	175.00
Professional engineer examination retake (\$60 exam charge; \$30 agency fee)	90.00
Structural exam retake	160.00
Comity	100.00
Replacement certificate	25.00
Exam (locally prepared) rescore	50.00
Renewal (per year)	48.00
Late renewal penalty	48.00
Duplicate license	15.00
Temporary permit	100.00

Engineer in training:

Application, examination, and certificate (\$30 exam charge; \$20 agency fee)	50.00
Examination retake (\$30 exam charge; \$20 agency fee)	50.00
Replacement certificate	25.00

Land surveyor:

Application, examination, and certificate	100.00
FLS examination retake (\$40 exam charge; \$0 agency fee)	40.00
PPLS examination retake	60.00
Comity	100.00
Comity exam retake	60.00
PPLS exam rescore	50.00
Renewal (per year)	48.00
Late renewal penalty	48.00