

WAC 192-210-110 What are the requirements for unions in the referral union program? (1) **Application.** The union's application for participation in the referral union program is subject to approval by the department. By submitting a signed application, the union agrees to:

(a) When requested, tell the department whether a person is a member of the union, eligible for dispatch or referral, and complying with union dispatch and referral rules;

(b) Advise its members that their eligibility for unemployment benefits may be affected if they are not available for suitable work as defined by RCW 50.20.100 or 50.20.110 and that, when requested, any failure to do so will be reported to the department;

(c) Advise its members that any refusal of dispatch or referral by the union to suitable work may affect the claimant's eligibility for unemployment benefits and, when requested, will be reported to the department, even if refusal is permitted under union rules; and

(d) When requested, provide the department other records that will help the department decide if an individual is available for work and actively seeking work, as long as disclosure of this information does not violate state or federal law.

The department will make the requests described in this subsection as needed to confirm the reliability of the referral union program.

(2) **Notify department of changes.** The union must notify the department within thirty days of any changes in its address, telephone number, or designated contact person, or changes in its procedures that modify the requirements a person must meet to be eligible for dispatch. The union must provide the department with a copy of the revised dispatch requirements within thirty days of implementation. The union's participation in the referral union program will be subject to reapproval based on the revised dispatch requirements.

(3) **Renewal.** Unions must renew their membership in the referral union program at intervals established by the department. If the union does not renew its membership within sixty days of the date given in the renewal notice, the department will revoke its membership in the referral union program.

(4) **Revocation.** The department may revoke a union's membership in the referral union program if the union does not comply with the terms of the agreement.

(a) If the revocation is based on failure to meet technical requirements of the program, such as failure to renew its membership or to respond to an information request from the department, the revocation will last until the failure is corrected;

(b) If the revocation is for violations of this section, such as the union's refusal to comply with program requirements, fraud, falsification of information regarding claimants' job search activities, or similar reasons, the revocation will last until the department is satisfied the union will comply with program requirements in future. In the case of serious or repeated violations, the revocation period may also include, at the department's discretion, an additional suspension period of up to sixty days.

(5) **Appeal of revocation.** An appeal of the revocation of a union's participation in the program is governed by chapter 34.05 RCW, the Administrative Procedure Act. If an appeal is filed, the revocation will be postponed until a final decision has been issued.

(6) **Withdrawal from program.** If a union chooses to withdraw from the referral union program, it must give the department thirty days

notice. This will give the department time to notify claimants who are members of that union of their new job search requirements.

[Statutory Authority: RCW 50.12.010, 50.12.040, 50.20.010. WSR 07-01-038, § 192-210-110, filed 12/12/06, effective 1/12/07.]