

WSR 21-12-067
PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT

[Filed May 28, 2021, 8:13 a.m.]

Subject of Possible Rule Making: In April, the governor signed SHB 1493, concerning job search monitoring. To be eligible to receive unemployment benefits, an unemployed individual must, among other requirements, be actively seeking work (RCW 50.20.010 (1)(c)). Prior to the passage of SHB 1493, RCW 50.20.240 (1)(b) required individuals to make contact with at least three employers per week or to conduct at least three documented in-person job search activities at the local reemployment center per week. SHB 1493 amended RCW 50.20.240 (1)(b) to require that until December 31, 2023, claimants demonstrate contact with at least three employers per week or three in-person job search activities per week, "or as directed by the employment security department (ESD) to meet the intent of rigorous reemployment efforts." The department is beginning rule making to define what efforts by claimants will be considered rigorous reemployment efforts, as provided in SHB 1493.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010, 50.12.240, 50.20.010, 50.20.240; SHB 1493 (2021).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Washington's unemployed workers need more options and flexibility in how they search for work in order to adapt to the specific demands of local markets.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor (USDOL) 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: The proposed rule will be shared with stakeholders as identified through the standard rule-making process. ESD will solicit input and consider all comments in the development of the final rule.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joshua Dye, P.O. Box 9046, Olympia, WA 98501, phone 360-890-3472, fax 844-652-7096, email rules@esd.wa.gov, website <https://esd.wa.gov/newsroom/rulemaking>.

May 28, 2021
Daniel Zeitlin
Employment System [Security]
Policy Director