

WSR 22-16-029

AGENDA

EMPLOYMENT SECURITY DEPARTMENT

[Filed July 25, 2022, 4:18 p.m.]

**Semi-Annual Rule-Making Agenda
July 2022 - January 2023**

The employment security department (ESD) prepares a semi-annual rule-making 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 rule-making 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 rule-making 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 Rule Making	Preproposal Notice Filings (CR-101)	Proposed Rule and Public Hearing Filings (CR-102 or CR-105 Expedited)	Permanent Rule Filing (CR-103)
Unemployment insurance benefits	192-310-010, 192-310-030, and 192-310-050	Requiring employers to include the Standard Occupational Classification (SOC) code or job title of each worker in their quarterly tax reports (SHB 2308 - 2020).	Filed May 12, 2021, in WSR 21-11-031	CR-102 expected August 2022	Will be completed prior to October 1, 2022
Unemployment insurance benefits	192-240-025	Updates unemployment insurance qualifications for health care workers (ESSB 5190 - 2021).	Filed May 13, 2021, in WSR 21-11-052	Filed June 28, 2022, in WSR 22-14-049	Expected August 2022
Unemployment insurance benefits	To be determined	Updates work search requirements with new flexibility provided to the department in SHB 1493 (2021).	Filed May 28, 2021, in WSR 21-12-067	To be determined	To be determined
Unemployment insurance benefits	192-110-095, 192-320-078, 192-320-082, 192-140-098, 192-150-055, 192-180-005, 192-180-025, 192-180-040, 192-270-065, 192-250-020, 192-250-045, 192-110-015, 192-310-030, 192-140-090, 192-04-210, 192-110-050, 192-320-072, 192-240-070, and 192-110-006	Reviewing phase 1, phase 3, and phase 4 emergency rules adopted as part of the state's COVID-19 pandemic response for permanent adoption.	Filed June 10, 2020, in WSR 20-13-041; March 10, 2021, in WSR 21-07-035; December in WSR 22-01-192	Filed December 20, 2021, in WSR 22-01-191, 22-01-204, and 22-01-192	Filed June 2, 2022 in WSR 22-13-007, 22-13-008, and 22-13-009

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Unemployment insurance benefits	192-110-095, 192-320-078, 192-320-082, 192-140-098, 192-150-055, 192-180-005, 192-180-025, 192-180-040, 192-270-065, 192-250-020, 192-250-045, 192-110-015, 192-310-030, 192-140-090, 192-04-210, 192-110-050, 192-320-072, 192-240-070, and 192-110-006	Expanding access to shared work by removing the requirement that an employer be legally registered in the state for at least six months. This is a supplemental filing to WSR 20-13-041.	Filed June 10, 2020 in WSR 20-13-041; March 10, 2021, in WSR 21-07-035; December in WSR 22-01-192	Filed June 22, 2022, in WSR 22-13-172	Expected August 2022
Unemployment insurance benefits	192-150-112	Aligns WAC 192-150-112 with new definitions of domestic violence contained in E2SHB 1320 (2021).		CR-105 filed November 3, 2021, in WSR 21-22-110	Filed February 15, 2022, in WSR 22-05-077
Unemployment insurance benefits	192-170-015	Defining verification of underlying health conditions.	Filed August 11, 2021, WSR 21-17-059	Filed November 19, 2021, in WSR 21-24-018	Filed June 2, 2022, in WSR 22-13-010
Unemployment insurance benefits	192-190-020	Repealing lump sum retirement deductions.		CR-105 filed December 13, 2021, in WSR 22-01-125	Filed February 25, 2022, in WSR 22-06-054
Unemployment insurance benefits	192-110-150	Updating a cross-reference regarding benefit certifications.		CR-105 filed November 17, 2021, in WSR 21-23-100	Filed February 7, 2022, in WSR 22-05-029
Unemployment insurance benefits	192-110-145	Adopting brief adjudicative proceedings.	Filed June 21, 2022, in WSR 22-16-008	To be determined	To be determined
Unemployment insurance benefits	192-150-180	Updating a cross-reference in RCW 50.20.050, regarding part-time quits.		Filed June 2, 2022	Expected September 2022
Unemployment insurance benefits	To be determined	Updating eligibility for unemployment insurance benefit eligibility for claimants on a leave of absence.	Filed July 6, 2022, in WSR 22-15-002	To be determined	To be determined
Paid family and medical leave	192-500-185, 192-620-035, 192-620-040, and 192-800-125	Updates regarding waiting period requirements, filing petitions for review, and other clarifying guidance.	Filed November 2, 2021, in WSR 21-22-106	Filed March 2, 2022, in WSR 22-06-093	Filed April 26, 2022, in WSR 22-10-031
Paid family and medical leave	WAC 192-520-010 and 192-610-025	Implementation of 2SSB 5649 (2022 legislation) regarding parties to collective bargaining agreements, new provisions for leave taken for the postnatal period or death of a child, and documentation requirements.	Filed March 31, 2022, in WSR 22-08-049	Filed June 22, 2022, in WSR 22-13-176	Expected August 2022
Long-term services and supports (WA Cares)	192-935-005 and 192-935-010	The third phase of rule making for initial implementation of Title 50B RCW regarding employer audits.	Filed November 2, 2021, in WSR 21-22-107	Expected August 2022 - to be combined with WSR 22-08-039	Expected September 2022
Long-term services and supports (WA Cares)	192-905-005, 192-905-006, 192-905-007, 192-905-010, 192-910-015, 192-915-005, and 192-915-015	Implementation of SHB 1732 and ESHB 1733 delaying the WA Cares fund program by 18 months and adding four new voluntary exemptions.	Filed March 30, 2022, in WSR 22-08-039	Expected August 2022 - to be combined with WSR 21-22-107	Expected September 2022
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ESD is responsible for initiating rule making to implement new state laws, meet federal requirements, and to meet unforeseen circumstances. Because of this variability, this agenda is prepared for informational purposes only and any dates noted herein are planning estimates that are subject to change. Additional rule making can occur in addition to what is listed on the agenda.

This agenda does not constitute a rule or rule-making action. Any errors or omissions in this agenda do not affect the actual rules or rule-making notices filed with the office of the code reviser and published in the Washington State Register.

The rule-making 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, Scott E. Michael, 360-890-3448, or email rules@esd.wa.gov.