

## WSR 22-08-049

**PREPROPOSAL STATEMENT OF INQUIRY  
EMPLOYMENT SECURITY DEPARTMENT**

[Filed March 31, 2022, 2:08 p.m.]

Subject of Possible Rule Making: The employment security department (department), leave and care division, is considering rules to implement 2SSB 5649 (chapter 233, Laws of 2022), which was passed into law during the 2022 legislative session. 2SSB 5649 makes changes to the paid family and medical leave (PFML) law (Title 50A RCW) and rules are needed to implement these changes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50A.05.060; chapter 233, Laws of 2022.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department recognizes the need for clear and usable guidance for ongoing programmatic operations. The department is considering new or amended rules to implement recently passed legislation. Topics may include: Collective bargaining agreements; initial application for benefits; and leave associated with the death of a family member.

The department may also consider providing additional guidance as needed.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No federal agencies and no other state agencies regulate the PFML program as authority is granted solely to the employment security department.

Process for Developing New Rule: Collaborative rule making. The draft rules will be shared with the public, stakeholders, and the program's advisory committee. The department will solicit input from all involved parties and consider all comments in the development of the final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Janette Benham, 640 Woodland Square Loop S.E., Lacey, WA 98503, phone 360-790-6583, TTY Theresa Eckstein, Relay 771 [711], 360-507-9890, or teckstein@esd.wa.gov, email rules@esd.wa.gov, website [paidleave.wa.gov/rulemaking/](http://paidleave.wa.gov/rulemaking/).

March 31, 2022  
April Amundson  
Policy and Rules Manager  
Leave and Care Division