

WSR 23-11-067

PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT

[Filed May 15, 2023, 12:12 p.m.]

Subject of Possible Rule Making: The employment security department (department) is engaging in rule making to amend current rules in accordance with the department's 2022 report on transportation network companies and to integrate transportation network companies and their drivers into the unemployment insurance system as set forth in SHB 1570 (2023). This rule making will cover unemployment insurance only and will not cover paid family and medical leave.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.070, 50.20.010, 50.20.050, 50.20.240; and SHB 1570, which adds new sections to chapter 50.04 RCW and RCW 50.29.021.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making will amend the department's rules to better represent the circumstances and practices of transportation network companies and their drivers and to include transportation network companies and drivers in the unemployment insurance system.

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 with 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: [No information supplied by agency].

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Josh Dye, P.O. Box 9046, phone 360-890-3472, fax 844-652-7096, TTY relay 711, email Rules@esd.wa.gov, website <https://esd.wa.gov/newsroom/rulemaking/>.

May 15, 2023

Dan Zeitlin

Employment Security Policy Director