

WSR 23-11-081

**PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT**

[Filed May 17, 2023, 11:18 a.m.]

Subject of Possible Rule Making: The employment security department (department), leave and care division, is considering rules to implement SHB 1570 (chapter 451, Laws of 2023), which passed and was signed into law during the 2023 legislative session. Among other things, the bill creates a pilot program for transportation network company drivers to access paid family and medical leave (PFML) benefits under Title 50A RCW. Section 4(9) of the bill gives explicit authority for the department to adopt rules to implement the pilot program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50A.05.060; chapter 451, Laws of 2023.

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 details regarding how the pilot program created by the bill will be implemented and administered.

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 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, 212 Maple Park Avenue S.E., Olympia, WA 98501, 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/.

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April Amundson
Policy and Rules Manager
ESPI, Leave and Care Programs