

WSR 23-14-051
PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT

[Filed June 27, 2023, 1:46 p.m.]

Subject of Possible Rule Making: This rule making will consider the benefits of allowing conditional payments to be eligible for waivers, expanding the opportunity for certain claimants to apply for waivers, and permanently adopting United States Department of Labor (USDOL) approved blanket waivers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.20.190, 50.24.020, 50.12.010, and 50.12.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making will consider permanently adopting the employment security department's (department) overpayment waiver emergency rules in order to ensure the overpayment waiver project can be completed. This will also provide an opportunity to consider any new USDOL-approved waivers.

The current overpayment waiver emergency rules are valid through July 24, 2023. These rules need to be extended so that applications received after July 24, 2023, can be processed using the rules. This rule making begins the process of considering permanent adoption of those rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: 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: Other [no further 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 Stephanie Frazee, P.O. Box 9046, phone 425-465-0313, fax 844-652-7096, TTY relay 711, email Rules@esd.wa.gov, website <https://esd.wa.gov/newsroom/rulemaking/>.

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