

**WSR 24-12-044**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**EMPLOYMENT SECURITY DEPARTMENT**

[Filed May 30, 2024, 3:55 p.m.]

Subject of Possible Rule Making: Claimants and employers who have appealed a determination of the employment security department (department) may request to withdraw their appeal before their hearing occurs. Sometimes a claimant or employer may change their mind for some reason, such as not understanding the impact of withdrawing their appeal, and they may request to rescind the withdrawal of their appeal so that they can have a hearing. Currently, the department's rules do not set out a process for a party to request to rescind the withdrawal of their appeal.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010, 50.12.040, 50.12.042, 50.32.060, 34.05.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is needed to set out a process for claimants to rescind the withdrawal of an appeal.

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 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: Draft rules will be shared with the public and stakeholders. The department will solicit input from all parties and consider all comments in the development of final rules.

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 [esdgpuirules@esd.wa.gov](mailto:esdgpuirules@esd.wa.gov), website <https://esd.wa.gov/newsroom/rulemaking/>.

May 30, 2024  
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