

WSR 21-12-066
EXPEDITED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed May 28, 2021, 7:26 a.m.]

Title of Rule and Other Identifying Information: The department is proposing to amend WAC 388-480-0001 Does being on strike impact my eligibility for the Washington basic food program?

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed housekeeping amendment to WAC 388-480-0001 corrects a typographical error without changing the effect of the rule.

Reasons Supporting Proposal: These amendments meet the criteria for expedited adoption as set forth in RCW 34.05.353 (1)(c): "The proposed rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect."

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.04.510.

Statute Being Implemented: Not applicable.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of social and health services, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Patrick Budde, P.O. Box 45470, Olympia, WA 98504, 360-764-0068.

This notice meets the following criteria to use the expedited adoption process for these rules:

Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: The amendment corrects a typographical error without changing the effect of the rule.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Katherine Vasquez, Rules Coordinator, Department of Social and Health Services, P.O. Box 45850, phone 360-664-6097, fax 360-664-6185, email DSHSRPAURulesCoordinator@dshs.wa.gov, AND RECEIVED BY August 2, 2021.

May 27, 2021
Katherine I. Vasquez
Rules Coordinator

SHS-4870.1

AMENDATORY SECTION (Amending WSR 03-22-037, filed 10/28/03, effective 12/1/03)

WAC 388-480-0001 Does being on strike impact my eligibility for the Washington basic food program? (1) A strike is a work stoppage, slowdown or other interruption of work caused by employees. This includes when a stoppage happens because a collective bargaining agreement has expired.

(2) We do not consider you to be on strike if you:

- (a) Are locked out by your employer;
- (b) Do not have work available as a result of striking employees;
- (c) Are not a member of the bargaining unit on strike and you fear someone may physically hurt you if you cross a picket line; or
- (d) Would have been exempt from work registration under WAC (~~388-444-0015~~) 388-444-0010 the day before the strike for any reason other than being employed at least thirty hours per week.

(3) If a person in your assistance unit (AU) is a striker, your AU is not eligible for basic food unless:

- (a) Your AU met all income requirements the day before the strike; and
- (b) You meet all other requirements of the basic food program as described in WAC 388-400-0040.

(4) If someone in your AU is on strike, your AU cannot receive a higher amount of basic food benefits solely because the person receives less income as a direct result of being on strike. We count the larger of the two following amounts to determine if your AU is eligible and calculate your benefits:

- (a) The striker's income before they went on strike; or
- (b) The striker's current income.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, and 74.04.510. WSR 03-22-037, § 388-480-0001, filed 10/28/03, effective 12/1/03. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.04.510. WSR 00-05-007, § 388-480-0001, filed 2/4/00, effective 3/6/00. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-480-0001, filed 7/31/98, effective 9/1/98.]