

WSR 23-11-082

**PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT**

(Paid Family and Medical Leave Advisory Committee)

[Filed May 17, 2023, 11:21 a.m.]

Subject of Possible Rule Making: The employment security department (department), leave and care division, is considering rules to implement SSB 5286 (chapter 116, Laws of 2023) and SSB 5586 (chapter 375, Laws of 2023), which passed into law during the 2023 legislative session. The bills make changes to the paid family and medical leave (PFML) law (Title 50A RCW), and rules are needed to implement the changes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50A.05.060; chapter 116, Laws of 2023; chapter 375, 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:

- Annual premium rate calculation; and
- Employer access to certain information regarding an employee's use of PFML.

The department may also consider rules regarding public records and 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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