



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: August 26, 2019

TIME: 9:04 AM

WSR 19-18-010

**Agency:** Employment Security Department

**Subject of possible rule making:** The Employment Security Department is seeking to implement public disclosure and privacy rules, update the existing procedures governing public records requests made to the department, and clarify the operation of the department's public records office under the Public Records Act.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 50.12.010 and 50.12.040 provide general rulemaking authority to the Employment Security Department. Laws of 2019, ch. 81, § 2 and Laws of 2019, c. 13, § 72 provide the department with specific rulemaking authority regarding the privacy of the Department's records. RCW 42.56.070 and RCW 42.56.100 provide all agencies with the authority to establish rules regarding public access to agency records.

**Reasons why rules on this subject may be needed and what they might accomplish:** The Employment Security Department seeks to provide clear and usable guidance for the public regarding program operations including public disclosure and privacy information.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The U.S. Department of Labor 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 (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) 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:**

	(If necessary)
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Other:	Other:

Additional comments:

**Date:** August 26, 2019

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**Name:** Dan Zeitlin

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**Title:** Employment Security Policy Director

**Signature:**

