

Pursuant to RCW 34.05.328, the Employment Security Department (Department) hereby places into the rulemaking file an analysis of the determinations required by RCW 34.05.328(1).

- a) The Employment Security Department is implementing public disclosure and privacy rules in accordance with requirements determined by Engrossed Senate Bill 5439 (Laws of 2019, c. 81).
 - b) Rulemaking is required to implement data privacy laws as directed by the Legislature.
 - c) A cost-benefit analysis has been prepared by the Employment Security Department. The cost-benefit analysis is available on the Department's webpage. (<https://www.esd.wa.gov/newsroom/rulemaking/other/data-privacy>)
 - d) Under both the preliminary and final cost-benefit analysis, the Department determined the probable benefits of the rule are greater than its probable costs.
 - e) The repeal of WAC 192-02-010, -020, -030, -040, -050, -060, -070, -080, -090, -100, -110, -120, -130, -140, -150, -160, -170, -180, -190, -200, and -210 and the addition of WAC 192-15-500, - 510, - 520, -530, -540, and -550 represent the least burdensome alternative. The new rules are less restrictive than current rules.
 - f) The rules do not require those to whom they apply to take an action that violates the requirements of another federal or state law.
 - g) The rules do not impose any performance requirements on public or private entities.
 - h) The rules do not differ from any other federal regulation or statute.
 - i) The Department has coordinated these rules, to the maximum extent practicable, with other federal, state, and local laws applicable to the same activity or subject matter.
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