



# PREPROPOSAL STATEMENT OF INQUIRY

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

Do **NOT** use for expedited rule making

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DATE: May 12, 2021

TIME: 8:30 AM

WSR 21-11-031

**Agency:** Employment Security Department

**Subject of possible rule making:** In 2020, the Legislature enacted Substitute House Bill 2308, which goes into effect on October 1, 2021 and requires employers to include the Standard Occupational Classification (SOC) code or job title of each worker in their quarterly tax reports to the Employment Security Department. The Employment Security Department is seeking to adopt rules that implement the requirement for employers to report SOC codes or job titles for workers when reporting.

**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. Substitute House Bill 2308, Section 2, is the law requiring employers to include the SOC code or job title of each worker in their quarterly tax reports to the Employment Security Department.

**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 reporting requirements for Standard Occupational Classifications and job titles.

**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:**

Name: Joshua Dye	(If necessary) Name:
Address: P.O. Box 9046	Address:
Phone: 360-890-3472	Phone:
Fax: 844-652-7096	Fax:
TTY: Relay 711	TTY:
Email: <a href="mailto:Rules@esd.wa.gov">Rules@esd.wa.gov</a>	Email:
Web site: <a href="https://esd.wa.gov/newsroom/rulemaking/benefits">https://esd.wa.gov/newsroom/rulemaking/benefits</a>	Web site:
Other:	Other:

Additional comments:

**Date:** May 12, 2021

**Name:** Dan Zeitlin

**Title:** Employment Security Policy Director

**Signature:**