

AMENDATORY SECTION (Amending WSR 10-11-046, filed 5/12/10, effective 6/12/10)

WAC 192-170-010 Availability for work—RCW 50.20.010. (~~(1)~~)

In general, the department will consider you available for work if you:

~~((a))~~ (1) Are willing to work full-time, part-time, and accept temporary work during all of the usual hours and days of the week customary for your occupation.

~~((i))~~ (a) You are not required to be available for part-time or temporary work if it would substantially interfere with your return to your regular occupation.

~~((ii))~~ (b) The requirement to be available for full-time work does not apply under the circumstances described in WAC 192-170-050 (1)(b) or 192-170-070;

~~((b))~~ (2) Are capable of accepting and reporting for any suitable work within the labor market in which you are seeking work;

~~((c))~~ (3) Do not impose conditions that substantially reduce or limit your opportunity to return to work at the earliest possible time;

~~((d))~~ (4) Are available for work during the hours customary for your trade or occupation; and

~~((e))~~ (5) Are physically present in your normal labor market area, unless you are actively seeking and willing to accept work outside your normal labor market.

~~((2) You are not considered available for work if you fail or refuse to seek work as required in a directive issued by the department under WAC 192-180-010.)~~

WAC 192-180-010 Job search requirements—Directives—RCW 50.20.010 (1)(c) and 50.20.240. ~~((1) Do I have to look for work? You must be actively seeking work unless you are:~~

~~(a) Attached to an employer as defined in WAC 192-180-005(1); or
(b) Participating in a training program approved by the commissioner.~~

~~(2) When should I start my job search? You must look for work every week that you file a claim for benefits, unless you are exempt under subsection (1) of this section.~~

~~(3) What are my weekly job search requirements?~~

~~(a) At a minimum, you must:~~

~~(i) Make job search contacts with at least three employers each week; or~~

~~(ii) Participate in three approved in-person job search activities through the WorkSource office or the equivalent public employment agency in the state in which you reside, or any combination of employer contacts or in-person job search activities for a total of three.~~

~~(b) Based on your individual circumstances, such as your occupation, experience, or labor market area, the department may issue you a directive requiring more than three employer contacts or job search activities each week.~~

~~(c) If you are a member of a referral union you must be registered with your union, eligible for and actively seeking dispatch, and comply with your union's dispatch or referral requirements (see WAC 192-210-120). Your benefits may be denied for any weeks in which you fail to meet these requirements and you may be directed to seek work outside of your union.~~

~~(4) What is a "job search contact"? A job search contact is a contact with an employer to inquire about or apply for a job. You must use job search methods that are customary for your occupation and labor market area including, but not limited to, in-person, telephone, internet, or telefax contacts. The work applied for must be suitable (see RCW 50.20.100 and 50.20.110) unless you choose to look for work in a lower skill area. A contact does not count if it is made with an employer whom you know is not hiring, or if the department decides the contact is designed in whole or in part to avoid meeting the job search requirements. Simply posting your resume online (for example, Simplyhired.com or Craigslist) does not constitute a job search contact for purposes of this section; in addition to posting your resume, an application or contact with an employer for a job must be submitted to count as one of the required weekly job search contacts.~~

~~(5) What is an "in-person job search activity"? This is an activity provided or monitored through the WorkSource office or the equivalent public employment agency in the state in which you reside that will assist you in your reemployment efforts. It includes, but is not limited to, job search workshops, training classes, or other facilitated services provided or monitored by WorkSource staff or other affiliated agencies and approved by the local WorkSource office. For claimants residing in Washington state, an in-person job search activity must be documented in the department's computer system to qualify. For interstate claimants, the activity must be documented by the equivalent public employment agency in the state in which you reside.~~

~~(6) **What is a directive?** A directive is a written notice from the department telling you that specific methods of job search are required in order to meet the job search requirements. A written directive need not have been issued to deny benefits for failure to meet the job search requirements in subsection (3) of this section, unless the directive is required under WAC 192-180-012.~~

~~(7) **When is a directive issued?** The department can issue a directive to clarify or to increase the job search requirements you must meet. Examples include, but are not limited to, cases in which you need to:~~

- ~~(a) Increase the number of employer contacts each week;~~
- ~~(b) Change your method of looking for work;~~
- ~~(c) Expand the geographic area in which you look for work;~~
- ~~(d) Look for work in a secondary occupation; or~~
- ~~(e) Accurately record your job search activities as required by WAC 192-180-015.~~

~~(8) **When is the directive effective?** The directive is effective when it is given in writing by the department. It stays in effect until a new written directive is given; the directive is rescinded in writing; your benefit year ends; or you receive final payment on any extension of benefits related to that benefit year, whichever is later.) Effective March 8, 2020, you may choose to look for work while you are unemployed, but you are not required to look for work in order to be eligible for benefits.~~

AMENDATORY SECTION (Amending WSR 17-01-051, filed 12/13/16, effective 1/13/17)

WAC 192-180-025 Job search reviews. ~~((+1)) **What is a job search review (JSR)?** ((The JSR is a review of your job search activities by the department. At a minimum, the department will review your job search documentation, your ability to work, availability for work, and your efforts to find work. The department may also promote an active search for work by directing you to resources that will assist you with your job search efforts.~~

~~(2) **Will my job search activities be reviewed?** Yes, you must provide your job search log to the department when requested. The department will review your log, review your eligibility for benefits as required by RCW 50.20.010 (1)(c), and, when appropriate, provide feedback on areas in which your job search can be improved.~~

~~(3) **How many weeks will be reviewed?** The department will review at least one week of your job search documentation at the initial JSR.~~

~~(a) If the documentation shows you met the job search requirements for that week, no further action will be taken at that time except as provided in WAC 192-180-020(2). You may be scheduled for another JSR at a later date.~~

~~(b) If the documentation shows that you substantially complied with the job search requirements, you will not be scheduled for an all weeks JSR. However, your benefits may be denied for that week and the department will issue you a work search directive explaining how your job search efforts or documentation of those efforts must be modified.~~

~~(c) If the job search documentation fails to show that you substantially complied with the job search requirements, the department~~

will reschedule you for a second JSR in which your job search for all weeks claimed will be reviewed.

~~(4) **What happens if I do not participate in the initial JSR?** If you fail to participate in the initial JSR, the department will determine if your failure is excused or unexcused.~~

~~(a) If you have an excused absence, the department will reschedule you for a JSR of one week of your job search documentation.~~

~~You may be excused from participating in the initial JSR only for good cause:~~

~~(i) Your illness or disability or that of a member of your immediate family that prevents you from participating;~~

~~(ii) Your employment or presence at a job interview scheduled with an employer;~~

~~(iii) Natural disaster or similar acts of nature; or~~

~~(iv) Factors specific to your situation which would prevent a reasonably prudent person in similar circumstances from participating.~~

~~(b) If you have an unexcused absence, the department will:~~

~~(i) Schedule you for a JSR of your job search activities for all weeks claimed; and~~

~~(ii) Deny your benefits for the week of the initial JSR unless you can show good cause for not participating. (See WAC 192-180-030.)~~

~~(5) **What does "all weeks" mean?** For purposes of this section, "all weeks" means the latest of the following:~~

~~(a) Weeks claimed since you filed your application for benefits; or~~

~~(b) Weeks claimed since your last all weeks JSR.~~

~~(6) **Will the department verify my identity at the JSR interview?** Yes, you must be prepared to provide the department with sufficient information to verify your identity.) Effective March 8, 2020, the commissioner will no longer direct you to provide evidence that you are actively seeking work as part of a job search monitoring program.~~

WAC 192-180-013 What are the job search requirements for individuals who work less than full time? ((-1-)) "Partially unemployed" workers are those individuals:

- (a) Who were hired to work full time;
- (b) Whose weekly hours of work have been temporarily reduced by their employer by no more than sixty percent;
- (c) Who earn less than one and one-third times their weekly benefit amount plus five dollars during a week; and
- (d) Who are expected to return to full time work for their employer within four months.

The department considers these workers to be employer attached and they are not required to register for or seek work. They must be available for all work offered by their regular employer.

~~((2) "Part time" workers are individuals who normally work less than full time, or who take a job that is less than full time. To be eligible for benefits, these individuals must be available for and actively seeking full time work and the department may review their job search at any time. If they get a part time job, they must continue to look for full time work or we will deny their benefits under RCW 50.20.010 (1)(c). This definition of "part time" workers means individuals who work part time but do not meet the requirements of RCW 50.20.119.~~

~~(3) "Part time eligible" workers are individuals who have worked no more than seventeen hours in any week of their base year. They are eligible for benefits under RCW 50.20.119. These individuals may look for work of seventeen or fewer hours per week and the department may review their job search at any time. Once an individual gets a job for seventeen or fewer hours per week, he or she is employer attached and no longer required to look for work.)~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

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| WAC 192-140-075 | What happens if I do not demonstrate that I am actively looking for work? |
| WAC 192-140-080 | What happens if I do not comply with a job search directive? |

REPEALER

The following sections of the Washington Administrative Code are repealed:

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| WAC 192-180-012 | Requirements of individuals who leave work due to illness or disability. |
| WAC 192-180-014 | Requirements of individuals who leave work due to domestic violence or stalking—RCW 50.20.010 (1)(c). |
| WAC 192-180-015 | Tracking job search activities—RCW 50.20.240. |
| WAC 192-180-020 | Monitoring job search activities—RCW 50.20.240. |
| WAC 192-180-040 | Directive to attend job search workshop or training course—RCW 50.20.044. |

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 192-240-030 Job search requirements to receive
extended benefits—RCW 50.22.020(5).