

Introduction

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).

Analysis

- a) Currently, multiple factors for determining a claimant's eligibility for unemployment benefits are impacted by a declaration of a public health emergency. Benefit weeks run from Sunday to Saturday, but public health emergencies may end in the middle of a benefit week. This rulemaking will clarify how a declaration of a public health emergency that begins or ends during the middle of a benefit week impacts a claimant's eligibility for benefits and an employer's ability to get relief of benefit charges in certain situations.
- b) A cost-benefit analysis has been prepared by the Department. The cost-benefit analysis is available on the Department's webpage.
([https:// https://esd.wa.gov/newsroom/rulemaking/public-health-emergencies](https://esd.wa.gov/newsroom/rulemaking/public-health-emergencies))
- c) Under both the preliminary and final cost-benefit analysis, the Department determined the probable benefits of the rule are greater than its probable costs, taking into account both the qualitative and quantitative benefits and costs and the specific directives of the statute being implemented.
- d) The amendments to WACs 192-150-055, -165, and -235 represent the least burdensome alternative.
- e) The rule does not require those to whom it applies to take an action that violates the requirements of another federal or state law.
- f) The rule does not impose any performance requirements on public or private entities.
- g) This rule does not differ from any other federal regulation or statute.
- h) The Department has coordinated this rule, to the maximum extent practicable, with other federal, state, and local laws applicable to the same activity or subject matter.