

DATE: October 14, 2019

TIME: 1:32 PM

WSR 19-21-082

**PROPOSED RULE MAKING**  
**CR-102 (December 2017)**  
**(Implements RCW 34.05.320)**  
 Do NOT use for expedited rule making

Agency: Employment Security Department

 Original Notice Supplemental Notice to WSR \_\_\_\_\_ Continuance of WSR \_\_\_\_\_ Preproposal Statement of Inquiry was filed as WSR 19-14-016; or Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or Proposal is exempt under RCW \_\_\_\_\_.

**Title of rule and other identifying information:** (describe subject) WAC 192-140-090 - What happens if I do not schedule or report for reemployment services as provided in RCW 50.20.010 (1)(e)?; WAC 192-170-010 – Availability for work-RCW50.20.010; WAC 192-180-005 - Registration for work—RCW 50.20.010(1) and 50.20.230; WAC 192-180-010 - Job search requirements—Directives—RCW 50.20.010 (1)(c) and 50.20.240; WAC 192-180-040 – Directive to attend job search workshop or training course—RCW 50.20.044; and WAC 192-180-060 - How will the department identify individuals who are likely to exhaust benefits?—RCW 50.20.011.

**Hearing location(s):**

Date:	Time:	Location: (be specific)	Comment:
December 3, 2019	8 am – 9 am	Employment Security Department, 212 Maple Park Ave, Olympia, WA 98501	Commissioner's Conference Room

Date of intended adoption: January 27, 2020 (Note: This is **NOT** the effective date)**Submit written comments to:**

Name: Joshua Dye

Address: P.O. Box 9046, Olympia, WA 98507-9046

Email: rules@esd.wa.gov

Fax: 844-652-7096

Other:

By (date) December 2, 2019**Assistance for persons with disabilities:**Contact Teresa Eckstein

Phone: 360-507-9890

Fax: 360-586-4600

TTY: Relay 711

Email: teckstein@es.wa.gov

Other:

By (date) November 27, 2019

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** Senate Bill 5398 (Laws of 2019, c. 50) amended RCW 50.20.010, RCW 50.20.230, and RCW 50.20.240 and established different eligibility requirements to receive unemployment insurance benefits for individuals complying with an electrical apprenticeship training program. Rules are necessary to more precisely define what these eligibility requirements are, and specify the particular electrical apprentices to whom these new eligibility requirements apply.

**Reasons supporting proposal:** Amending the rules will allow the Department to conform to new statutory requirements.

**Statutory authority for adoption:** RCW 50.12.010 and RCW 50.12.040

**Statute being implemented:** RCW 50.20.010; RCW 50.20.230; and RCW 50.20.240

**Is rule necessary because of a:**

Federal Law?  Yes  No  
Federal Court Decision?  Yes  No  
State Court Decision?  Yes  No

If yes, CITATION:

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** None.

**Name of proponent:** (person or organization) Employment Security Department

Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Scott Michael	Olympia	360-890-3448
Implementation:	Julie Lord	Olympia	360-902-9579
Enforcement:	Julie Lord	Olympia	360-902-9579

**Is a school district fiscal impact statement required under RCW 28A.305.135?**

Yes  No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name: Joshua Dye

Address: P.O. Box 9046, Olympia, WA 98507-9046

Phone: 360-890-3472

Fax:

TTY:

Email: Rules@esd.wa.gov

Other: <https://www.esd.wa.gov/newsroom/ui-rule-making/electrical-apprentices>

No: Please explain:

**Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:**

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- RCW 34.05.310 (4)(b) (Internal government operations)
- RCW 34.05.310 (4)(c) (Incorporation by reference)
- RCW 34.05.310 (4)(d) (Correct or clarify language)
- RCW 34.05.310 (4)(e) (Dictated by statute)
- RCW 34.05.310 (4)(f) (Set or adjust fees)
- RCW 34.05.310 (4)(g) ((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW \_\_\_\_.

Explanation of exemptions, if necessary:

**COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES**

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's analysis showing how costs were calculated. \_\_\_\_\_
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

**Date:** October 14, 2019

**Name:** Dan Zeitlin

**Title:** Employment System Policy Director

**Signature:**

