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) Washington's economy has profoundly changed both due to the continued COVID-19 pandemic and the emergency measures taken to prevent its spread. With the requirement to actively search for work being reinstated on July 4, 2021, Washington's unemployed workers need more options and flexibility in how they search for work to adapt to both this and future dynamic situations. Furthermore, requiring physical proximity between claimants and WorkSource staff unnecessarily increases safety risks for both claimants and staff, especially when claimants can receive support for their job search activities remotely or virtually.

b) Rulemaking is needed to provide Washington workers with flexible options for meeting job search requirements.

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/ui-rule-making/work-search-rule)

d) Under both the preliminary and final cost-benefit analysis, the Department determined the probable benefits of the rules are greater than their probable costs.

e) The amendments to WAC 192-180-010 represent the least burdensome alternative. The changes are less restrictive than current rules by providing more options for claimants in how they search for work.

f) The rules do not require those to whom it applies 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) These 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.