



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Employment Security Department

- | | |
|---|---|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 17-11-055; or | <input checked="" type="checkbox"/> Original Notice |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1). | <input type="checkbox"/> Continuance of WSR _____ |

Title of rule and other identifying information: (Describe Subject) WAC 192-110-015 regarding granting standby status to workers who are temporarily laid off by their regular employment and have an anticipated return to work date within eight weeks.

Hearing location(s):
Employment Security Department
Commissioner's Conference Room, 2nd Floor
212 Maple Park Avenue
Olympia, WA

Date: August 9, 2017 Time: 10:00 a.m.

Submit written comments to:
Name: Christina Streuli
Address: Employment Security Department
PO Box 9046, Olympia WA 98507
e-mail cstreuli@esd.wa.gov
fax (360)902-9647 by (date) August 8, 2017

Assistance for persons with disabilities: Contact
Teresa Eckstein, State EO Officer by August 8, 2017
TTY 711 or (360) 902-9354

Date of intended adoption: August 11, 2017
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The proposal will allow employers to make the initial request for up to eight weeks of standby. The rule currently requires claimants to apply for up to four weeks of standby and, if approved, the employer may request an additional four weeks.

Reasons supporting proposal: The rule will permit employers whose workers will be temporarily laid off for more than four, but fewer than eight, weeks to initiate the request for standby for up to eight weeks. This will allow employers a better opportunity to retain a skilled workforce since claimants who are not on standby must look for work. It will also streamline agency workload by eliminating the need for a supplemental request when claimants have been approved for four or fewer weeks of standby and the employer anticipates the return date will be longer.

Statutory authority for adoption: RCW 50.12.010 and 50.12.040

Statute being implemented: RCW 50.20.010(1)(c) and RCW 50.20.240

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

DATE June 30, 2017

NAME (type or print)
Dale Peinecke

SIGNATURE

TITLE
Commissioner

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 30, 2017

TIME: 10:18 AM

WSR 17-14-087

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..... Juanita Myers	Olympia, WA	360-902-9665
Implementation.... Neil Gorrell	Olympia, WA	360-902-9303
Enforcement..... Neil Gorrell	Olympia, WA	360-902-9303

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

Under federal law, small and large businesses are subject to the same requirements. In the unlikely event there will be some additional costs for small business, these cannot be mitigated since the same rules must apply to all businesses.

Is a cost-benefit analysis required under RCW 34.05.328?

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

Name: Christina Streuli

Address:

Employment Security Department

P.O. Box 9046

Olympia, WA 98507-9046

phone (360) 902-9647 _____

fax (360) 902-9605 _____

e-mail cstreuli@esd.wa.gov

No: Please explain: