



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Employment Security Department

- Preproposal Statement of Inquiry was filed as WSR 14-14-043; 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).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) The rules amend sections in Chapter 192-180 WAC, Job Search Requirements, and WAC 192-110-015, Applications by Standby Workers. The rules apply to unemployment insurance benefit claims.

Hearing location(s):

Employment Security Department
Maple Leaf Conference Room, 2nd Floor
212 Maple Park Ave.
Olympia, WA

Date: October 25, 2016 Time: 1:30 p.m.

Submit written comments to:

Name: Juanita Myers
Address: Employment Security Department
PO Box 9046, Olympia WA 98507
e-mail jmyers@esd.wa.gov
fax (360) 902-9605 by (date) October 24, 2016

Assistance for persons with disabilities: Contact

Teresa Eckstein, State EO Officer by October 24, 2016

TTY 711 or (360) 902-9354

Date of intended adoption: October 26, 2016
(Note: This is NOT the effective date)

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

The rules pertaining to job search requirements and the job search review (JSR) program are being amended to reflect that the job search monitoring function has been moved from local WorkSource offices to a centralized function. Other changes are made to make the review process more flexible, both for the department and the claimant. For example, rather than specifying in rule the elements that must be included on a job search log, the rule simply requires that the claimant provide information requested by the department. This permits the department to take advantage of advancing technology by permitting new methods of searching for work without having to amend the rule in future. Another change will deny benefits indefinitely to individuals who fail to appear for a review of all weeks claimed, rather than denying only the weeks prior to the review and continuing to allow claimants to draw benefits.

WAC 192-110-015 reduces the periods of standby that will be approved by the department. This means that workers temporarily laid off by their employer for more than four weeks will be required to look for other work. The rule also adds those unemployed due to natural disaster to be eligible for standby. This eliminates the need for an employer to submit a written request for exemption in cases of wildfires, mudslides, etc.

Reasons supporting proposal: The amendments to the JSR program will reduce costs to the trust fund. Claimants will no longer be permitted to continue to be paid unemployment benefits when they have not shown the department they are meeting job search requirements. Support for the changes to the standby rule: (1) claimants who do not return to work after being placed on standby will have more weeks available for a job search; (2) other base period employers are not charged while the claimant is not looking for work.

Statutory authority for adoption: RCW 50.12.010 and 50.12.040

Statute being implemented: RCW 50.20.010 and 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:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 19, 2016
TIME: 3:32 PM

WSR 16-19-069

DATE
September 19, 2016

NAME (type or print)
Lisa Marsh

SIGNATURE

TITLE Deputy Commissioner

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	(360) 902-9665
Implementation....Susan Hettinger	Olympia	(360) 902-9223
Enforcement..... Susan Hettinger	Olympia	(360) 902-9223

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. The rules do not impose additional costs on businesses in general, nor on small businesses in particular.

Is a cost-benefit analysis required under RCW 34.05.328?

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

Name: Juanita Myers

Address: Employment Security Department

212 Maple Park Drive / PO Box 9046

Olympia WA 98503

phone (360) 902-9665

fax (360) 902-9605

e-mail jmyers@esd.wa.gov

No: Please explain: