



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do **NOT** use for expedited rule making

**Agency:** Employment Security Department

**Subject of possible rule making:** Amend WAC 192-130-050, *Notice of filing of applications*, for consistency with WAC 192-130-070, *Mailing of eligibility determinations*; Amend WAC 192-130-065, *Mailing addresses for notice to employer*, to clarify where notices to employers will be mailed; Amend WAC 192-120-035, *How will adequate notice be provided*, to specify how adequate notice will be provided when weekly claims are filed via internet; Amend sections in Chapter 192-04 WAC, *Practice and Procedure*, to make technical corrections and to permit department to file petitions for review.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 50.12.010 and RCW 50.12.040

**Reasons why rules on this subject may be needed and what they might accomplish:** WACs 192-130-050 and 192-130-070 are inconsistent with respect to which employers will be mailed a notice of filing of application and eligibility determinations. The change will made these rules consistent. WAC 192-130-065 is internally inconsistent regarding the address that will be used for the notice to employer; amending the rule will resolve this inconsistency. WAC 192-120-035 only addresses how adequate notice will be provided to claimants who file weekly claims by telephone. It will be amended to state how notice will be provided to those who file on the internet. Amending WAC 192-04-060 and repealing WAC 192-04-175 will make the department's ability to file petitions for review consistent with other interested parties as defined by WAC 192-04-040.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The United States Department of Labor (USDOL) reviews the state's administration of the UI program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of UI laws as long as conformity is maintained. The proposed rules will be shared with USDOL prior to adoption.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

The proposed rules will be shared with stakeholders identified in the rule-making process. We will solicit input from stakeholders and consider all written comments in the development of the final rules.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

Interested parties can participate in the development of the rules before publication by contacting:

Juanita Myers, Unemployment Insurance Rules Manager  
Employment Security Department  
P.O. Box 9046  
Olympia, WA 98507-9046  
Fax (360) 902-9799  
Email [jmyers@esd.wa.gov](mailto:jmyers@esd.wa.gov)

Please include your name, organization (if any), mailing address, email address and telephone number.

**DATE**  
October 1, 2013

**NAME (TYPE OR PRINT)**  
Nan Thomas

**SIGNATURE**  


**TITLE**  
Deputy Commissioner

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FILED

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**WSR 13-20-115**