



# 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:** Chapter 192-250 WAC, Shared Work Program. Amendments will be made to implement Engrossed House Bill 1396. Additional changes will be made to clarify policy and procedures and to streamline program operations. WAC 192-250-045, *Who is not eligible for participation in the shared work program?*, will also be reviewed to determine if program participation should be limited to hourly employees and whether businesses with a tax rate of 5.4 percent or more should continue to be ineligible for program participation.

**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:** This rule-making will implement Chapter 79, Laws of 2013 (Engrossed House Bill 2013). The bill makes a number of changes to the shared work program and existing rules must be updated to reflect these changes. Other proposed changes will be considered to improve program operations, including eligibility for participation in the program.

**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**  
06-12-2013

**NAME (TYPE OR PRINT)**  
Dale Peinecke

**SIGNATURE**

**TITLE**  
Commissioner

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FILED

**DATE: June 13, 2013**

**TIME: 11:06 AM**

**WSR 13-13-034**