



PROPOSED RULE MAKING

CR-102 (June 2004)

(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 13-12-033 _____ ; 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). | <input type="checkbox"/> Continuance of WSR _____ |

Title of rule and other identifying information: (Describe Subject) Adopt new rule in Chapter 192-100 defining the term "equity and good conscience." Adopt new rule in Chapter 192-330 WAC related to negotiated settlements of unemployment taxes, interest, and penalties owed by an employer. Amend WAC 192-220-030, WAC 192-230-110, and WAC 192-230-130 relating to waivers and negotiated settlements of unemployment benefit overpayments.

Hearing location(s):
Employment Security Department
Maple Leaf Conference Room
212 Maple Park
Olympia, Washington

Date: January 9, 2014 Time: 10:00 a.m.

Submit written comments to:

Name: Pamela Ames
Address: P.O. Box 9046
Olympia, WA 98507-9046
e-mail pames@esd.wa.gov
fax (360)902-0911 by (date) January 8, 2014

Assistance for persons with disabilities: Contact

Kintu Nnambi by January 8, 2014
TTY (800) 833-6384 or (360) 725-9454

Date of intended adoption: January 13, 2014
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: New rules are adopted to define the term "equity and good conscience" and to describe how the term pertains to negotiated settlements between the department and employers for unemployment taxes, interest, or penalties owed by an employer. WAC 192-220-030, WAC 192-230-110, and WAC 192-230-130 are also amended to implement statutory changes and clarify policies related to waivers and negotiated settlements of benefit overpayments.

Reasons supporting proposal: The rules implement statutory changes to RCW 50.20.190 and RCW 50.24.020 adopted by the 2013 Legislature.

Statutory authority for adoption: RCW 50.12.010 and RCW 50.12.040

Statute being implemented: RCW 50.20.190 and RCW 50.24.020

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:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: December 03, 2013

TIME: 12:53 PM

WSR 13-24-100

DATE
December 3, 2013

NAME (type or print)
Nan Thomas

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	212 Maple Park, Olympia	(360) 902-9665
Implementation....Juanita Myers	212 Maple Park, Olympia	(360) 902-9665
Enforcement..... Neil Gorrell	212 Maple Park, Olympia	(360) 902-9303

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic 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 proposed rules do not have a disproportionate impact on small business.

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

P.O. Box 9046

Olympia WA 98507-9046

phone (360) 902-9665 _____

fax (360) 902-0911 _____

e-mail jmyers@esd.wa.gov _____

No: Please explain: