



Final Cost-Benefit Analysis

WAC 192-140-035 (“What happens if I do not respond to a request for information?”) amendment

Introduction

Pursuant to RCW 34.05.328, the Employment Security Department (Department) hereby analyzes the costs and benefits of amending WAC 192-140-035 (“What happens if I do not respond to a request for information?”).

Costs

No costs are anticipated. The rulemaking only corrects inconsistent terminology within WAC 192-140-035. WAC 192-140-035 currently states that the Department will presume an individual is disqualified from receiving unemployment benefits if they provide potentially disqualifying information, or fail to provide necessary information, and then they do not respond to a request for specific information. The rule then states that the Department will deny benefits under RCW 50.20.010. However, RCW 50.20.010 is not a disqualification statute; rather, it sets out eligibility requirements for filing a weekly benefit claims. In contrast, different statutes disqualify individuals from benefits and a disqualification lasts for a set period of time. The rule will be amended to clarify that failure to respond to a request for specific information could result in either disqualification or ineligibility for benefits.

The Department is already equipped to adjudicate claims of this nature, and this rulemaking will not change the Department’s internal process. Therefore, no additional costs will be incurred.

Benefits

The current version of WAC 192-140-035 contains language that is inconsistent with statutes. This rulemaking will resolve the inconsistent language by addressing both disqualification and ineligibility for benefits. This change will also benefit the public by providing further clarification on what happens if a claimant does not respond to a request for information from the Department.

Conclusion

The proposed rulemaking amending WAC 192-140-035 can be implemented without imposing costs.