

### **Introduction**

Pursuant to RCW 34.05.328, the Employment Security Department (Department) hereby describes its implementation plan for its rulemaking specifying how transportation network companies should calculate and report driver hours work in their quarterly reports.

### **Plan to implement and enforce the rule**

Although employers are required to keep their information up to date with the Department under RCW 50.12.070, currently, the Department's rules do not explicitly require employers to keep their addresses up to date with the Department. This rulemaking will specify that employers notify the Department of a change in address within 30 days of an address change. This proposal clarifies an employer's responsibility to inform the Department of a change in address within 30 days of the address change. The rule clarifies that this must be done in writing and what information must be included.

Although the new rule does not include an enforcement mechanism, under RCW 50.12.070, any employer who fails to keep and preserve records required by this section shall be subject to a penalty determined by the commissioner but not to exceed two hundred fifty dollars or two hundred percent of the quarterly tax for each offense, whichever is greater. The Department currently imposes penalties for failure to provide timely and complete quarterly reports. However, a penalty for failing to timely update an address was not included in this rulemaking.

### **Plan to inform and educate affected persons about the rule**

The Department will share rules with interested parties through the Department's online distribution lists and by updating the Department's website.

### **Plan to promote and assist voluntary compliance**

The plan to promote and assist voluntary compliance will be identical to the plan to inform and educate affected persons about the rule.

### **Plan to evaluate whether the rules achieve the purpose for which they were adopted**

The Department will evaluate whether the rule achieves its purpose by observing whether there is a change in the amount of mail sent to employers that is returned due to an incorrect address after the rule becomes effective.