



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 30, 2020

TIME: 7:59 AM

WSR 20-14-080

Agency: Employment Security Department

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
- No
- If Yes, explain:

Purpose: The Employment Security Department is adopting this emergency rule to provide relief from unemployment benefit charges for employers who had employees collect unemployment benefits because the employee received a direct request from a medical professional, local health official or the Secretary of Health to be isolated or quarantined as a consequence of COVID-19, even if the employee was not actually diagnosed with COVID-19. Unemployment benefits paid to these individuals will not be charged to the experience rating account of their employers and will not count against their employer's in the calculation of their tax rates in future years.

Citation of rules affected by this order:

New: 192-320-071
 Repealed:
 Amended:
 Suspended:

Statutory authority for adoption: RCW 50.12.040, RCW 50.92.021

Other authority: Unemployment Insurance Program Letter No. 13-20, Change 1

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: In Proclamation 20-05, Governor Inslee proclaimed a State of Emergency in Washington regarding COVID-19. The proclamation directs agencies and departments to support the Department of Health and local officials in alleviating the impacts to people, property, and infrastructure across the state. Additionally, §§ 4102 and 4105 of the Families First Coronavirus Response Act, P.L. 116-127, offers states additional funds to administer their state unemployment insurance programs and to reimburse states for extended unemployment benefits paid for a limited period if the state takes steps "to ease eligibility requirements and access to unemployment compensation for claimants, including...non-charging employers directly impacted by COVID-19 due to an illness in the workplace or direction from a public health official to isolate or quarantine workers." Therefore, without this rule, Washington would not have access to additional federal funds to administer the unemployment insurance program and pay extended benefits to the long-term unemployed.

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	<u>1</u>	Amended	_____	Repealed	_____
Federal rules or standards:	New	<u>1</u>	Amended	_____	Repealed	_____

Recently enacted state statutes: New ____ Amended ____ Repealed ____

The number of sections adopted at the request of a nongovernmental entity:

New ____ Amended ____ Repealed ____

The number of sections adopted on the agency's own initiative:

New 1 Amended ____ Repealed ____

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New ____ Amended ____ Repealed ____

The number of sections adopted using:

Negotiated rule making: New ____ Amended ____ Repealed ____
Pilot rule making: New ____ Amended ____ Repealed ____
Other alternative rule making: New ____ Amended ____ Repealed ____

Date Adopted: June 30, 2020

Name: Dan Zeitlin

Title: Employment Security Policy Director

Signature:

