



RULE-MAKING ORDER EMERGENCY RULE ONLY

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

CODE REVISER USE ONLY

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STATE OF WASHINGTON
FILED

DATE: July 17, 2020

TIME: 8:51 AM

WSR 20-15-118

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: In March of 2020, Congress passed the Families First Coronavirus Response Act that, among other things, authorized and funded extended unemployment benefits in response to the COVID-19 pandemic. The Department is adopting an emergency rule in order to align state rules with federal rules and guidance regarding suitable work for extended benefits.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 192-240-025
- Suspended:

Statutory authority for adoption: RCW 50.12.040; RCW 50.22.020

Other authority: 20 C.F.R. § 615.8(e)(5)(ii), (f)(2)(ii); Unemployment Insurance Program Letter No. 14-81 (Feb. 2, 1981).

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: As a federal-state program, Washington is required to conform with United States Department of Labor (USDOL) guidance or risk federal funding. The Families First Coronavirus Response Act provides federal funding for extended unemployment benefits in response to the COVID-19 pandemic. If the Department does not align state rules with USDOL guidance, those funds may be in jeopardy.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	1	Repealed	___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 ____ Amended 1 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: July 17, 2020	Signature: 
Name: Dan Zeitlin	
Title: Employment Security Policy Director	