



**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: January 07, 2021  
TIME: 4:54 PM

WSR 21-03-007

**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 emergency rule provides clarity for which unemployment insurance benefit claimants are subject to a one-week waiting period and which claimants are exempt from the waiting week requirement due to the Governor's Proclamations 20-21 through 20-21.11.

**Citation of rules affected by this order:**

New: WAC 192-110-006  
Repealed:  
Amended:  
Suspended:

**Statutory authority for adoption:** RCW 50.12.040

**Other authority:** Proclamations by the Governor 20-21 through 20-21.11

**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:** On March 28, 2020, pursuant to the Governor's emergency powers, the Governor issued Proclamation 20-21, which waived the statutory requirement that unemployment insurance claimants serve an unpaid waiting week before claimants can receive unemployment benefits. Since that time, leaders in the Legislature repeatedly authorized the extension of this Proclamation and the statutory waiver until December 28, 2020, at which time, the Proclamation expired. Due to the sudden expiration of Proclamation 20-21, rules are needed now to guide the Department, claimants, and administrative law judges for unemployment claims that are being filed now. Therefore, observing the time requirements for adoption of a permanent rule would be contrary to the public interest.

**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	___	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	____

<b>Date Adopted:</b> January 7, 2021	<b>Signature:</b> 
<b>Name:</b> Dan Zeitlin	
<b>Title:</b> Employment Security Policy Director	