



# 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: July 02, 2021

TIME: 11:07 AM

WSR 21-14-066

**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:** These emergency rules relate to applications for standby (WAC 192-110-015) and allows the requirement to register for and search for work to be met by staying in contact with the employer; requires the claimant to be available for suitable work; expands standby eligibility to full-time, part-time, and less than full-time workers; automatically places claimants on standby from March 22, 2020 through July 3, 2021; and resets the number of weeks claimants can claim standby. These emergency rules permit greater flexibility in the use of standby in light of changes to Washington's economy due to COVID-19.

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

- New:
- Repealed:
- Amended: 192-110-015
- Suspended:

**Statutory authority for adoption:** RCW 50.12.040

**Other authority:**

**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. The proposed rules allow for greater flexibility in the use of standby in light of changes to Washington's economy due to COVID-19 and permit claimants an opportunity to transition toward having to actively search for work in order to be eligible for unemployment benefits.

**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 \_\_\_\_ 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	<u>1</u>	Repealed	____

<b>Date Adopted:</b> July 2, 2021	<b>Signature:</b> 
<b>Name:</b> Dan Zeitlin	
<b>Title:</b> Employment Security Policy Director	