



Implementation Plan Failure to Respond

Introduction

Pursuant to RCW 34.05.328, the Employment Security Department (Department) hereby describes its implementation plan for its failure to respond rulemaking.

Plan to implement and enforce the rule

Currently, WAC 192-140-035 states that if an unemployment insurance claimant does not respond to a request for information, they are denied benefits “for an indefinite period of time” until they respond to the Department’s request for information. This rule amendment will explain the circumstances under which a claimant may requalify for benefits after previously being denied due to failing to respond to a request for information from the Department by formalizing two exceptions to the “indefinite period of time” time frame. The rule formalizes the Department’s current practice regarding claimants who have opened new claims after previously being denied benefits after failing to respond to a Department request for information. Therefore, no implementation plan is required.

Plan to inform and educate affected persons about the rule

The Department will share rules with stakeholder groups through the Department’s online distribution lists.

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 rule formalizes the Department’s current practice regarding claimants who have opened new claims after previously being denied benefits after failing to respond to a Department request for information.