



Employment Security Department

WASHINGTON STATE

SIGNIFICANCE ANALYSIS (RCW 34.05.328)

Pursuant to RCW 34.05.328, the Employment Security Department (Department) hereby places into the rulemaking file an analysis of the determinations required by RCW 34.05.328(1).

- a) The amendments to WAC 192-140-090 are intended to implement RCW 50.20.010(1)(e). The goal and objective of RCW 50.20.010(1)(e) is to ensure claimants who are likely to exhaust their unemployment benefits receive special reemployment services to help those claimants return to suitable work sooner and draw fewer unemployment benefits overall.
- b) The amendments to WAC 192-140-090 are needed to implement a new strategy intended to improve compliance with directives to receive reemployment services: permitting claimants to self-schedule their own date to receive reemployment services rather than picking the date for the claimant. Evidence from other states has shown that permitting claimants to self-schedule the date they receive reemployment services significantly improves the percentage of claimants who comply with directives to receive reemployment services. If the rule is not adopted, the Department may need to return a federal grant awarded to the Department for the express purpose of implementing the new self-scheduler strategy.
- c) A preliminary cost-benefit analysis is available, and final cost-benefit analysis will be available when the amendments to WAC 192-140-090 are adopted, on the Department's rulemaking webpage: <https://esd.wa.gov/newsroom/ui-rule-making/automated-scheduler>.
- d) Under both the preliminary and final cost-benefit analysis, the Department determined the probable benefits of the rule are greater than its probable costs, taking into account both the qualitative and quantitative benefits and costs and the specific directives of the statute being implemented.
- e) The amendments to WAC 192-140-090 are the least burdensome alternative for those required to comply with it. In fact, the amended version of WAC 192-140-090 is less burdensome than the current version.
- f) The rule does not require those to whom it applies to take an action that violates the requirements of another federal or state law.
- g) The rule does not impose any performance requirements on public or private entities. It only imposes requirements on certain individuals who claim unemployment benefits.
- h) The rule does not differ from the requirements of Unemployment Insurance Program Letter (UIPL) No. 3-17 (Dec. 8, 2016), nor does it differ from any other federal regulation or statute.



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- i) The Department has coordinated this rule, to the maximum extent practicable, with other federal, state, and local laws applicable to the same activity or subject matter.