



# RULE-MAKING ORDER PERMANENT RULE ONLY

## CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: February 05, 2025

TIME: 6:07 AM

WSR 25-04-111

**Agency:** Employment Security Department

**Effective date of rule:**

**Permanent Rules**

31 days after filing.

Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

Yes  No If Yes, explain:

**Purpose:** Claimants and employers who have appealed a determination of the Department may request to withdraw their appeal before their hearing occurs. Sometimes a claimant or employer may change their mind for some reason, such as not understanding the impact of withdrawing their appeal, and they may request to rescind the withdrawal of their appeal so that they can have a hearing. Although parties are currently able to make these requests and the Office of Administrative Hearings adjudicates these requests, the Department's rules do not set out a process or a standard of review for evaluating these requests. The Department is updating WAC 192-04-100 to set out a process for filing a request to reinstate an appeal and a good cause standard of review of the request.

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

New:

Repealed:

Amended: WAC 192-04-100 Appeals-Petitions for hearing or petitions for review-Withdrawal and reinstatement of.

Suspended:

**Statutory authority for adoption:** RCW 50.12.010; RCW 50.12.040; RCW 50.12.042; RCW 50.32.060; RCW 34.05.220.

**Other authority:** RCW 50.32.060

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 24-21-052 on October 9, 2024.

Describe any changes other than editing from proposed to adopted version: No changes.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by :

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**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Federal statute:	New	___	Amended	___	Repealed	___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	___
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**The number of sections adopted on the agency's own initiative:**

New	___	Amended	<u>1</u>	Repealed	___
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	___	Amended	___	Repealed	___
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**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:** February 5, 2025

**Name:** Joy Adams

**Title:** Employment System Policy & Integrity Director

**Signature:**

