



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: April 30, 2025

TIME: 6:12 AM

WSR 25-10-035

Agency: Employment Security Department

Subject of possible rule making: WAC 192-04-170 Decision of the commissioner—Petition for review—Filing—Reply. The purpose of this rulemaking is to make the filing requirements for the Commissioner's Review Office consistent among different types of filings.

Statutes authorizing the agency to adopt rules on this subject: RCW 34.05.220; RCW 50.12.010, RCW 50.12.040, RCW 50.32.025, RCW 50.32.070, RCW 50.32.080.

Reasons why rules on this subject may be needed and what they might accomplish: Currently, petitions for review of the Commissioner's Review Office are considered filed when they are mailed, but replies to petitions for review are considered filed when they are received by the Commissioner's Review Office. This rulemaking specifies that a reply to a petition for review must be filed with, rather than received by, the Commissioner's Review Office by the applicable 15-day deadline and that a petition for review and reply to a petition for review must be filed in accordance with RCW 50.32.025. This update makes the filing requirements for the Commissioner's Review Office more consistent among different types of filings, as other filings must be submitted in accordance with that statute.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The U.S. Department of Labor reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of the unemployment insurance laws so long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe) Draft rules will be shared with the public and stakeholders. The Department will solicit input from all parties and consider all comments in the development of final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Stephanie Frazee

Address: P.O. Box 9046

Phone: 425-465-0313

Fax: 844-652-7096

TTY: Relay 711

Email: stephanie.frazee@esd.wa.gov

Web site: <https://esd.wa.gov/newsroom/rulemaking/>

Other:

(If necessary)

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

Additional comments:

Date: April 30, 2025

Name: Joy Adams

Title: Director, Employment Systems Policy & Integrity
Division

Signature: