



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Employment Security Department

- Preproposal Statement of Inquiry was filed as WSR 13-12-051 _____ ; or
- Expedited Rule Making--Proposed notice was filed as WSR _____ ; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) Adopt new rules in Chapter 192-320 WAC, Experience Rating and Benefit Charging.

Hearing location(s):
Employment Security Department
Maple Leaf Conference Room
212 Maple Park
Olympia, Washington

Date: November 14, 2013 Time: 11:00 a.m.

Submit written comments to:

Name: Pamela Ames
Address: P.O. Box 9046
Olympia, WA 98507-9046
e-mail pames@esd.wa.gov
fax (360)902-9799 by (date) November 13, 2013

Assistance for persons with disabilities: Contact

Kintu Nnambi by November 13, 2013
TTY (800) 833-6384 or (360) 725-9454

Date of intended adoption: November 18, 2013
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Rules are adopted to implement Chapter 189, section 3, Laws of 2013. The legislation provides that employers are not eligible for relief of unemployment benefit charges to their account if the employer fails to respond timely or adequately to a written request for information from the department and has established a pattern of such failures. The rules clarify how the department will determine whether an employer is ineligible for relief of benefit charges under these circumstances.

Reasons supporting proposal: The rules implement Chapter 189, section 3, Laws of 2013, pertaining to circumstances under which an employer may be ineligible for relief of benefit charges. The change to state law was adopted to conform to changes in federal law.

Statutory authority for adoption: RCW 50.12.010 and RCW 50.12.040

Statute being implemented: Chapter 50.60 RCW

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

DATE
October 1, 2013

NAME (type or print)
Nan Thomas

SIGNATURE

TITLE
Deputy Commissioner

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 01, 2013
TIME: 4:28 PM

WSR 13-20-124

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: (person or organization) Employment Security Department

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Juanita Myers	212 Maple Park, Olympia	(360) 902-9665
Implementation....Juanita Myers	212 Maple Park, Olympia	(360) 902-9665
Enforcement..... Neil Gorrell	212 Maple Park, Olympia	(360) 902-9303

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

The proposed rules do not have a disproportionate impact on small business.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Juanita Myers

Address: Employment Security Department

P.O. Box 9046

Olympia WA 98507-9046

phone (360) 902-9665 _____

fax (360) 902-9799 _____

e-mail jmyers@esd.wa.gov _____

No: Please explain: