



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Employment Security Department

- | | |
|--|---|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 12-15-004 ; or | <input checked="" type="checkbox"/> Original Notice |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1). | <input type="checkbox"/> Continuance of WSR _____ |

Title of rule and other identifying information: (Describe Subject) Implements SHB 2491 by amending WAC 192-350-010 relating to determining when predecessor-successor relationships exist for the purpose of calculating unemployment insurance tax rates, and WAC 192-350-060 relating to consequences for failure to respond to requests for information.

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

Date: November 8, 2012 Time: 10:00 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)902-90799 by (date) November 7, 2012

Assistance for persons with disabilities: Contact

Kintu Nnambi by November 7, 2012

TTY (800) 833-6384 or (360) 725-9454

Date of intended adoption: November 13, 2012
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The amendments to WAC 192-350-010 define statutory terminology that is necessary to determine when a predecessor-successor relationship exists for the purposes of calculating unemployment insurance tax rates. The amendments to WAC 192-350-060 establish consequences for an employer's failure to respond to requests for information.

Reasons supporting proposal: The rules implement changes made by Chapter 2, Laws of 2012, 1st Special Session (Substitute House Bill 2491).

Statutory authority for adoption: RCW 50.12.010 and RCW 50.12.040

Statute being implemented: RCW 50.29.062

Is rule necessary because of a:

- | | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
- If yes, CITATION:

DATE
10-2-2012

NAME (type or print)
Paul Trause

SIGNATURE

TITLE
Commissioner

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 02, 2012

TIME: 4:58 PM

WSR 12-20-064

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..... Larry Sheahan	212 Maple Park Ave. SE, Olympia	(360) 902-9245
Implementation.... Larry Sheahan	212 Maple Park Ave. SE, Olympia	(360) 902-9245
Enforcement..... Nan Thomas	212 Maple Park Ave. SE, Olympia	(360) 902-9303

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal 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.

Adoption of the proposed rules will impose at most minor costs on businesses in an industry. They are interpretive regulations which define new terms that appear in the statute. The regulations do not impose any new regulatory requirements on any employers.

Is a cost-benefit analysis required under RCW 34.05.328?

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

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: The rules are not significant legislation rules as defined under RCW 34.05.328.