



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: July 06, 2023

TIME: 1:57 PM

WSR 23-15-009

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: For purposes of unemployment insurance, benefit weeks run from Sunday to Saturday. However, a public health emergency declaration may begin or end in the middle of a benefit week. This rulemaking will clarify how a declaration of a public health emergency that begins or ends during the middle of a benefit week impacts a claimant's eligibility for benefits and an employer's ability to get relief of benefit charges in certain situations.

Citation of rules affected by this order:

New: WAC 192-150-165, WAC 192-150-235, and WAC 192-170-055

Repealed:

Amended: WAC 192-150-055, WAC 192-170-010, and WAC 192-320-078

Suspended:

Statutory authority for adoption: RCW 50.12.010 and RCW 50.12.040 provide general rulemaking authority to the Employment Security Department. RCW 50.20.010 defines benefit eligibility conditions for unemployment benefits.

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 23-09-077 on April 19, 2023 (date).

Describe any changes other than editing from proposed to adopted version: Proposed WAC 192-170-010(6) has been changed to refer to "RCW 50.20.010(1)(c)" instead of "subsection (1)(c) of this section." This change is necessary to correct a drafting error, so the subsection refers to the availability requirement more generally as opposed to a narrow piece of the overall availability rule.

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

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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	<u>3</u>	Amended	<u>3</u>	Repealed
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>3</u>	Amended	<u>3</u>	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: July 5, 2023

Name: Joy Adams

Title: Interim Director, Employment System Policy &
Integrity Division

Signature:

