

Final Cost-Benefit Analysis

COVID 19 Emergency Rules – Phase 1

Introduction

Pursuant to RCW 34.05.328, the Employment Security Department (Department) hereby analyzes the costs and benefits of permanently adopting emergency rules (phase 4) adopted in response to the COVID-19 pandemic.

Costs

COSTS FOR THE DEPARTMENT

The Department does not anticipate additional costs to implement the rules. The Department implemented the needed changes when the emergency rules were adopted in 2021.

COSTS FOR THE PUBLIC

The proposed rules at issue in the COVID 19 Emergency Rules – Phase 4 rulemaking do not create an additional tax burden on employers.

Benefits

The proposed rules at issue in the COVID 19 Emergency Rules – Phase 4 rulemaking:

- Clarify the priority between Pandemic Unemployment Assistance benefits, Pandemic Emergency Unemployment Compensation benefits, extended benefits, and regular unemployment insurance benefits
- Clarify that Pandemic Unemployment Assistance benefits will be deducted from the maximum benefits payable on an individual's new claim if the weekly benefit amount between the two claims is equal. It also clarifies that if the new weekly benefit amount is lower than the amount a claimant was paid for the weeks at issue, the amount they were paid in Pandemic Unemployment Assistance benefits that is equivalent to the weekly benefit amount on the new claim will be deducted from the maximum benefits;
- Allow the Employment Security Department to process "blanket waivers" of overpayments of Pandemic Emergency Unemployment Compensation (PEUC) and Pandemic Unemployment Assistance (PUA) benefits if a claimant was paid PEUC or PUA benefits when they should have been paid a different type of unemployment benefit, such as state unemployment insurance benefits, instead, and the weekly benefit amount on the PEUC or PUA claim was higher than the weekly benefit amount on the claim the claimant should have been paid; and
- Clarify that the waiting week requirement is waived when the one week waiting period is fully paid or reimbursed by the federal government

Conclusion

These rules will provide more economic stability to unemployed workers by allowing blanket waivers of certain overpayments and waiving the waiting week requirement under specific circumstances.