



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: October 07, 2024
TIME: 11:23 AM

WSR 24-21-026

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: This rulemaking will amend WAC 192-140-035 ("What happens if I do not respond to a request for information?"). The rulemaking will correct inconsistent terminology within WAC 192-140-035. WAC 192-140-035 currently states that the Department will presume an individual is disqualified from receiving unemployment benefits if they provide potentially disqualifying information, or fail to provide necessary information, and then they do not respond to a request for specific information. The rule then states that the Department will deny benefits under RCW 50.20.010. However, RCW 50.20.010 is not a disqualification statute; rather, it sets out a claimant's eligibility for unemployment benefits. The rule will be amended to clarify that a failure to respond to a request for information will lead to either disqualification from or ineligibility for benefits.

Citation of rules affected by this order:

New:
Repealed:
Amended: WAC 192-140-035.
Suspended:

Statutory authority for adoption: RCW 50.12.010, RCW 50.12.040, RCW 50.12.042, RCW 50.20.010, RCW 50.20.050, RCW 50.20.060, RCW 50.20.066, RCW 50.20.070, RCW 50.20.080, RCW 50.20.085, RCW 50.20.090, RCW 50.20.095.

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 24-14-005 on June 21, 2024.
Describe any changes other than editing from proposed to adopted version:

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

Name: Lawrence Larson
Address: P.O. Box 9046, Olympia, WA 98507-9046
Phone: 425.465.0313
Fax: 844.652.7096
TTY: Relay 771
Email: esdgpurules@esd.wa.gov
Web site: <https://www.esd.wa.gov/newsroom/ui-rulemaking/standard-occupational-code-reporting>
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	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted on the agency's own initiative:

New	_____	Amended	<u>1</u>	Repealed	_____
-----	-------	---------	----------	----------	-------

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	<u>1</u>	Repealed	_____
-----	-------	---------	----------	----------	-------

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: October 7, 2024

Name: Joy Adams

Title: Employment System Policy Director

Signature:

