

Definition of “placement,” benefit proration, documentation requirements, premium rate calculation, appeals, and other topics

INTRODUCTION

Pursuant to RCW 34.05.328, the Paid Family and Medical Leave (PFML) division of the Employment Security Department (department) hereby places into the rulemaking file an implementation plan regarding several changes to Title 192 WAC. New rules include WAC 192-500-195 and 192-510-090. Amended rules include WAC 192-500-040, 192-500-070, 192-500-080, 192-500-170, 192-610-025, 192-620-035, 192-800-035, 192-800-045. And 192-800-110. New rules define “placement” of a child for eligibility for family bonding leave and clarify how the department will determine the premium rate for each calendar year. Amended rules make technical changes, clarify when a claim year will be established, clarify documentation requirements for the birth or placement of a child, clarify how a benefit will be prorated, and clarify the conditions under which an order of default will be vacated.

PLAN TO IMPLEMENT AND ENFORCE THE RULE

The department will integrate the new and amended rules into operational policy and discuss the rules with staff members. The content of the rules will also be integrated into the program’s technological functions, to the extent possible, in order to automate processes and simplify the customer experience.

PLAN TO INFORM AND EDUCATE AFFECTED PERSONS ABOUT THE RULE

Information regarding the new and amended rules will be posted on the department’s website and included in all relevant online literature, including the Benefit Guide. Customer service staff members will be trained on the changes and will be available by phone and email to answer customer questions. Emails are sent to all PFML mailing list subscribers summarizing the rulemaking processes and providing updates on any rule changes. Additional information, including the final text of the rules, is available on the program’s rulemaking website.

PLAN TO PROMOTE AND ASSIST VOLUNTARY COMPLIANCE

The plan to promote and assist voluntary compliance will be identical to the plan to inform and educate affected persons about the rule. Employers with approved voluntary plans will be required to comply with the new requirements.

PLAN TO EVALUATE WHETHER THE RULES ACHIEVE THE PURPOSE FOR WHICH THEY WERE ADOPTED

The department will consider feedback from customers and the stakeholder community in order to gauge the effectiveness and understanding of the rules.
