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: The adopted rules implement several changes to Title 192 WAC. New rules include adding a definition for “placement” of a child for eligibility for family bonding leave and clarification on how the Employment Security Department will determine the premium rate for each calendar year. Amended rules include: clarification on when a claim year will be established; information regarding the documentation required for the birth or placement of a child; a description of how a benefit will be prorated; additional information regarding the conditions under which an order of default will be vacated; and other clarifying and technical changes.

Citation of rules affected by this order:
- New:
  - WAC 192-500-195 Placement.
  - WAC 192-510-090 How will the department determine the premium rate for each calendar year?
- Repealed:
- Amended:
  - WAC 192-500-040 Aggrieved party.
  - WAC 192-500-070 Claim year.
  - WAC 192-500-080 Qualifying event.
  - WAC 192-500-170 Self employed.
  - WAC 192-610-025 Documenting the birth or placement of a child for paid family leave.
  - WAC 192-620-035 When will a weekly benefit amount be prorated?
  - WAC 192-800-035 Who can appeal or submit a petition for review?
  - WAC 192-800-045 When can an appeal be withdrawn?
  - WAC 192-800-110 What options are available for an aggrieved party who received an order of default?

Suspension:

Statutory authority for adoption: RCW 50A.05.060

Other authority:

PERMANENT RULE (Including Expedited Rule Making)
- Adopted under notice filed as WSR 20-16-149 on 8/5/2020 (date).
- Describe any changes other than editing from proposed to adopted version:
  - WAC 192-500-080(1) and (2): The subsections were removed from the RCW 50A.05.010 references.
  - WAC 192-500-170(1)(d): The subsection was removed from the RCW 50A.05.010 reference.

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

Name: April Amundson
Address: Employment Security Department, PO Box 9046 Olympia, WA 98507-9046
Phone: 360-485-2816
Fax:
TTY: WA Relay: 711 (Contact Teresa Eckstein at 360-507-9890 for accommodations)
Email: rules@esd.wa.gov
Web site: https://www.opentownhall.com/portals/289/forum_home
**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:

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<th>Category</th>
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<th>Amended</th>
<th>Repealed</th>
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<tr>
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<td>Federal rules or standards</td>
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<tr>
<td>Recently enacted state statutes</td>
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The number of sections adopted at the request of a nongovernmental entity:

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

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

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The number of sections adopted using:

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<td>Other alternative rule making</td>
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**Date Adopted:** October 2, 2020  
**Name:** April Amundson  
**Title:** Policy and Rules Manager for Paid Family and Medical Leave  
**Signature:**