



**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 192-500-200 Pandemic leave assistance.	Defines a term for use throughout Title 192 referring to the grant authorized by the legislature in HB 1073.
WAC 192-510-095 How will certain moneys owed to the trust be considered when calculating the premium rate?	Clarifies that moneys owed, but not yet paid to the PFML trust pursuant to SB 5097 will be included in the premium rate calculation.
WAC 192-530-100 Are voluntary plans required to pay pandemic leave assistance benefits?	Clarifies that employees covered by an approved voluntary plan should apply to the state for pandemic leave assistance benefits rather than their voluntary plan.
WAC 192-560-011 What small business grants are available under pandemic leave assistance?	Establishes the process by which employers may apply for a small business grant for employees who receive pandemic leave assistance.
WAC 192-610-100 What is the attestation required for an employee claiming pandemic leave assistance?	Codifies the requirement that employees applying for pandemic leave assistance must attest that their inability to meet standard PFML requirements is due to COVID-19.

Amended rules include:

WAC 192-610-035 Documenting a family relationship.	Adjusts language to align with the new definition of “family member” established by SB 5097.
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**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, Employer Guide, and Voluntary Plan 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, will be 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 rules. Employers with approved voluntary plans will be required to comply with the new requirements, with the exception of rules related to the passage of HB 1073.

#### 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.