



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: March 31, 2022

TIME: 2:08 PM

WSR 22-08-049

Agency: Employment Security Department

Subject of possible rule making: The Employment Security Department (department), Leave and Care Division, is considering rules to implement Second Substitute Senate Bill (2SSB) 5649 (Chapter 233, Laws of 2022), which was passed into law during the 2022 legislative session. 2SSB 5649 makes changes to the Paid Family and Medical Leave law (Title 50A RCW) and rules are needed to implement these changes.

Statutes authorizing the agency to adopt rules on this subject: RCW 50A.05.060; Chapter 233, Laws of 2022

Reasons why rules on this subject may be needed and what they might accomplish: The department recognizes the need for clear and usable guidance for ongoing programmatic operations. The department is considering new or amended rules to implement recently passed legislation. Topics may include:

- Collective bargaining agreements;
- Initial application for benefits; and
- Leave associated with the death of a family member.

The department may also consider providing additional guidance as needed.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: No federal agencies and no other state agencies regulate the PFML program as authority is granted solely to the Employment Security Department.

Process for developing new rule (check all that apply):


- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) Collaborative rulemaking. The draft rules will be shared with the public, stakeholders, and the program's Advisory Committee. The department will solicit input from all involved parties and consider all comments in the development of the final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

	(If necessary)
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Other:	Other:

Additional comments:

Date: March 31, 2022	Signature: 
Name: April Amundson	
Title: Policy & Rules Manager, Leave and Care Division	