



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: May 17, 2023

TIME: 11:21 AM

WSR 23-11-082

Agency: Employment Security Department

Subject of possible rule making: The Employment Security Department (department), Leave and Care Division, is considering rules to implement Substitute Senate Bill (SSB) 5286 (Chapter 116, Laws of 2023) and SSB 5586 (Chapter 375, Laws of 2023), which passed into law during the 2023 legislative session. The bills make changes to the Paid Family and Medical Leave (PFML) law (Title 50A RCW), and rules are needed to implement the changes.

Statutes authorizing the agency to adopt rules on this subject: RCW 50A.05.060; Chapter 116, Laws of 2023; Chapter 375, Laws of 2023

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:

- Annual premium rate calculation; and
- Employer access to certain information regarding an employee's use of PFML.

The department may also consider rules regarding public records and 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:

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 Other:

(If necessary)

Name:
 Address:
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 Other:

Additional comments:

Date: May 17, 2023	Signature: 
Name: April Amundson	
Title: Policy & Rules Manager, ESPI, Leave and Care Programs	