



# Employment Security Department

WASHINGTON STATE

## Rule Implementation Plan

RCW 34.05.328

### Implementation of Substitute Senate Bill (SSB) 5286, SSB 5586, and public records amendments

WSR # 23-23-095

May 2023

#### INTRODUCTION

As required under RCW 34.05.328, the Leave and Care Division of the Employment Security Department (department) is placing into the rulemaking file an implementation plan regarding amendments to Paid Family and Medical Leave (PFML) program rules under Title 192 WAC to implement Substitute Senate Bill (SSB) 5286 (Chapter 116, Laws of 2023) and SSB 5586 (Chapter 375, Laws of 2023). SSB 5286 made changes to RCW 50A.10.030 regarding how the annual premium rate is calculated for employers and employees. SSB 5586 made changes to RCW 50A.25.040 that will allow employers to access information about current employees to include the type of leave being taken, the requested duration of leave, and whether an employee was approved for and paid benefits for any given week. The department also amended rules regarding public records to eliminate redundancy and refer to agency rules that are already in place.

#### Amended rules:

WAC 192-500-035 Interested parties.

WAC 192-510-090 How will the department determine the premium rate for each calendar year?

WAC 192-810-010 Definitions.

WAC 192-810-030 How do individuals and entities request records from the department?

#### Repealed rule:

WAC 192-810-020 Purpose.

#### PLAN TO IMPLEMENT AND ENFORCE THE RULE

The department will integrate the rule amendments 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 implement the changes, automate processes, and simplify the customer experience.

#### PLAN TO INFORM AND EDUCATE AFFECTED PERSONS ABOUT THE RULE

Information regarding the amendments will be posted on the department's website and included in all relevant online literature. Customer service staff members will be trained on the subject matter of the rules 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 rules. Additional information, including the final text of the amendments, will be available on the program's rulemaking website.

In addition, the department communicates new information to employers that includes:

- Regularly scheduled employer newsletters sent to interested parties informing them of upcoming changes; and

- Updates to the program webpages that include notices of new requirements and an Employer Toolkit with resources for employers and workers.

## 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.

## 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 to gauge the effectiveness and understanding of the changes to the rules.