



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 24, 2024

TIME: 1:16 PM

WSR 24-12-023

Agency: Employment Security Department

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) July 1, 2024 (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: Substitute House Bill 1570 (Chapter 451, Laws of 2023) requires the pilot program to begin July 1, 2024.

Purpose: The Paid Family and Medical Leave (PFML) program is proposing a new chapter of rules under Title 192 to implement the pilot program for transportation network company drivers (drivers) created under Substitute House Bill 1570 (Chapter 451, Laws of 2023). The law creates a pilot program for drivers to elect PFML coverage with premiums paid by the driver and reimbursed by their transportation network company. The pilot begins July 1, 2024, and ends December 31, 2028.

Citation of rules affected by this order:

New:

- Chapter 192-511 WAC Transportation network company pilot program.
- WAC 192-511-005 Definitions applicable to the transportation network company pilot program.
- WAC 192-511-010 How do transportation network company drivers elect paid family and medical leave coverage?
- WAC 192-511-015 Transportation network company rights and responsibilities.
- WAC 192-511-020 Self-employed elective coverage requirements apply to the pilot program.

Repealed:

Amended:

Suspended:

Statutory authority for adoption: RCW 50A.05.060; Chapter 451, Laws of 2023

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 24-08-046 on March 28, 2024 (date).
Describe any changes other than editing from proposed to adopted version:

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

Name: Janette Benham
 Address: Employment Security Department, PO Box 9046 Olympia, WA 98507-9046
 Phone: 360-790-6583
 Fax:
 TTY: WA Relay: 711 (Contact Teresa Eckstein at 360-507-9890 for accommodations)
 Email: rules@esd.wa.gov
 Web site: <https://paidleave.wa.gov/rulemaking/>
 Other:

**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:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	4	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

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

New	___	Amended	___	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	4	Amended	___	Repealed	___

Date Adopted: May 24, 2024

Name: April Amundson

Title: Policy and Rules Manager, ESPI, Leave and Care Programs

Signature:

