



RULE IMPLEMENTATION PLAN (RCW 34.05.328)

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 this implementation plan.

The majority of rules amended in this rulemaking were amended solely to update the language to point more accurately to statutory numbers that changed during the 2019 Legislative Session when Title 50A RCW was recodified. Substantive changes were only made to the waiting week, bereavement leave, and public disclosure and records requests concepts.

1. Plan to Implement and Enforce the Rule

The newly promulgated WAC 192-500-185 regarding the waiting period and the amended WAC 192-510-025 regarding what wages are reportable to the Department for premium assessment purposes, will be implemented and enforced in the same manner. Both rules will be integrated into operational policy and discussed with staff internally. They will also be, to the extent necessary, integrated into the program's technological functionality to automate processes and simplify the customer experience.

WACs 192-810-010 through 192-810-030 regarding public disclosure and privacy for PFML will be implemented and enforced separate from the waiting week and bereavement leave concepts. Rules related to public disclosure and records request are, to the extent feasible, in-line with the existing processes in place for the Employment Security Department. This was done intentionally as the Public Records Officer for the Department will manage the public records requests related to Paid Family and Medical Leave (PFML) specifically. Information about how to request records, including PFML records is posted on the Department's website. The Public Records Officer is also available by phone to answer questions about navigating the process.

2. Plan to Inform and Educate Affected Persons

Information regarding WACs 192-500-185 and 192-510-025 will be posted on the Department's website. Customer service staff will also be trained on the changes and be available by phone and email to answer customer questions.

Because the rules related to the process for requesting records are consistent with the Department's existing processes, information about how to request records, including PFML records is already posted on the Department's website. The Public Records Officer is also available by phone to answer questions about navigating the process. Information about privacy and data security will be included in data-sharing agreements as necessary.

3. Promote and Assist Voluntary Compliance

Customer service representatives will be trained on the changes to WACs 192-500-185 and 192-510-025 and be available by phone an email to answer customer questions.

The Public Records Office will continue its current practices of working with the community to educate and assist regarding the disclosure process.

4. Plan to Evaluate Whether the Rules Achieve the Purpose for Which They Were Adopted

The Department cannot baseline metrics regarding the waiting week concept or bereavement leave because the program is not yet implemented. Therefore, no measure outcomes can be created. However, the Department solicits and receives robust participation and feedback from our stakeholder community. It is expected that if the concepts do not work as intended or that intention must change for any reason, the stakeholder community will engage with the Department on that need, if the Department does not independently raise it.

The Public Records Office works to improve its processes as necessary. PFML staff who are involved with data-sharing agreements are also invited to provide feedback to the policy team if needed about ways in which the rules impact their work and methods of improvement.