



# PREPROPOSAL STATEMENT OF INQUIRY

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

Do **NOT** use for expedited rule making

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FILED

DATE: January 09, 2020

TIME: 5:40 PM

WSR 20-03-067

**Agency:** Employment Security Department

**Subject of possible rule making:** Continuing to implement the Paid Family and Medical Leave (PFML) program (Title 50A RCW) requires updating existing rules and promulgating new rules to ensure clarity and make necessary changes as we discover programmatic needs. This preproposal statement of inquiry includes, but is not limited to, updating the definition of "claim year," and adding a definition for "sibling."

**Statutes authorizing the agency to adopt rules on this subject:** RCW 50A.04.215

**Reasons why rules on this subject may be needed and what they might accomplish:** This rulemaking focuses on definitions for the PFML program.

The existing definition of a "claim year" in rule is being revisited as part of this rulemaking. The department will consider whether the current definition could result in an employee claiming more leave than the law intends and what possible alternative definitions may better suit the needs of the program as established in Title 50A RCW.

Statute does not define "sibling," even though it defines many other familial connections. Without this definition, it is unclear when an individual in a sibling relationship may take leave under the program. Therefore, this rulemaking will define "sibling" for PFML.

The department recognizes the need for clear and usable guidance for ongoing programmatic operations. These rules will contribute to that guidance.

**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 this program as it is a new state entitlement with authority 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) 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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(If necessary)

Name:

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Other:

Additional comments:	
<b>Date:</b> 01-09-2020	<b>Signature:</b> 
<b>Name:</b> April Amundson	
<b>Title:</b> Policy and Rules Manager for Paid Family and Medical Leave	