



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: January 09, 2020

TIME: 5:44 PM

WSR 20-03-068

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 rulemaking will address how employers are notified by the department that an employee has been approved or denied for PFML benefits and other related topics.

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: Employers need to know when an employee is approved to use the PFML program. This information helps employers plan business needs and provide job protection to the employee if required. Existing rule could be seen as requiring the department to provide employers who are interested parties with a copy of the determination the agency issues related to an applicant's initial claim for benefits. This rule is being revisited to balance the privacy needs of claimants with employers' need to have enough information to successfully conduct business.

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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Other:

(If necessary)

Name:

Address:

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Fax:


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Email:

Web site:

Other:

Additional comments:

Date: 01-09-20	Signature: 
Name: April Amundson	
Title: Policy and Rules Manager for Paid Family and Medical Leave	