



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 14, 2020

TIME: 3:16 PM

WSR 20-11-035

Agency: Employment Security Department

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) _____ (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:

Purpose: The Employment Security Department is responsible for implementing the Paid Family and Medical Leave Program in accordance with Title 50A RCW. Rulemaking is being done on an ongoing basis. This rulemaking creates a new section as WAC 192-700-020 to provide guidance on when employers must continue health care benefits to an employee on paid family or medical leave under Title 50A RCW. The rulemaking also provides clarifying amendments to WAC 192-700-010.

Citation of rules affected by this order:

New: WAC 192-700-020 When does an employer need to provide a continuation of health benefits to an employee who is on paid family or medical leave?
 Repealed:
 Amended: WAC 192-700-010 Can an employer deny employment restoration?
 Suspended:

Statutory authority for adoption: RCW 50A.05.060, RCW 50A.35.010, and RCW 50A.35.020

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 20-08-122 on March 31, 2020 (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
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 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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	<u>1</u>	Amended	<u>1</u>	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	<u>1</u>	Amended	<u>1</u>	Repealed	___

Date Adopted: May 13, 2020

Name: April Amundson

Title: Policy and Rules Manager

Signature:

