

NEW SECTION

WAC 192-500-110 Week. A "week" is a period of seven consecutive calendar days beginning on Sunday 12:00 a.m. and ending at 11:59 p.m. the following Saturday.

NEW SECTION

WAC 192-500-120 Employee fraud. (1) "Fraud" means an action taken by an employee where either of the following is determined to have occurred:

- (a) Willful nondisclosure as defined in WAC 192-500-140; or
- (b) Misrepresentation as defined in WAC 192-500-150.

(2) A finding of fraud will result in a disqualification of benefits and applicable penalties under Title 50A RCW.

NEW SECTION

WAC 192-500-130 Nondisclosure. "Nondisclosure" occurs when information that is known or should have been known by the employee at the time it is requested by the department, is not disclosed either inadvertently or through unintentional oversight.

NEW SECTION

WAC 192-500-140 Willful nondisclosure. "Willful nondisclosure" occurs when:

- (1) An employee omits or fails to disclose information;
- (2) The employee either knew or should have known that the information should have been provided;
- (3) The information concerned a fact that was material to the employee's rights and responsibilities under Title 50A RCW; and
- (4) The employee omitted or did not disclose the information with the intent that the department would take action on other information the employee did provide.

NEW SECTION

WAC 192-500-150 Misrepresentation. "Misrepresentation" occurs when:

- (1) The employee has made a statement or provided information;
- (2) The statement was false;
- (3) The employee either knew or should have known the statement or information was false when making or submitting it;

(4) The statement or submission concerned a fact that was material to the employee's rights and responsibilities under Title 50A RCW; and

(5) The employee made the statement or submitted the information with the intent that the department would rely on the statement or information when taking action.

NEW SECTION

WAC 192-500-160 Continued claim. (1) An employee is a "continued claim" recipient if the employee:

(a) Is eligible for benefits; and

(b) Has received credit for the waiting period or payment of benefits for one or more weeks in a claim year and in the current continued claim series.

(2) Continued claim status will end following four or more consecutive weeks for which the employee does not file a claim or is not taking paid family or medical leave.

NEW SECTION

WAC 192-500-170 Self-employed. (1) A "self-employed" person is:

(a) A sole proprietor;

(b) A joint venturer or a member of a partnership that carries on a trade or business, contributes money, property, labor or skill and shares in the profits or losses of the business;

(c) A member of a limited liability company;

(d) An independent contractor who works as described in RCW 50A.04.010 (7) (b) (ii); or

(e) Otherwise in business for oneself as indicated by the facts and circumstances of the situation, including a part-time business.

(2) A corporate officer is an employee and not self-employed.