



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: May 12, 2021

TIME: 8:30 AM

WSR 21-11-031

Agency: Employment Security Department

Subject of possible rule making: In 2020, the Legislature enacted Substitute House Bill 2308, which goes into effect on October 1, 2021 and requires employers to include the Standard Occupational Classification (SOC) code or job title of each worker in their quarterly tax reports to the Employment Security Department. The Employment Security Department is seeking to adopt rules that implement the requirement for employers to report SOC codes or job titles for workers when reporting.

Statutes authorizing the agency to adopt rules on this subject: RCW 50.12.010 and 50.12.040 provide general rulemaking authority to the Employment Security Department. Substitute House Bill 2308, Section 2, is the law requiring employers to include the SOC code or job title of each worker in their quarterly tax reports to the Employment Security Department.

Reasons why rules on this subject may be needed and what they might accomplish: The Employment Security Department seeks to provide clear and usable guidance for the public regarding reporting requirements for Standard Occupational Classifications and job titles.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The U.S. Department of Labor reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of the unemployment insurance laws so long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study

☒ Other (describe) Draft rules will be shared with the public and stakeholders. The department will solicit input from all parties and consider all comments in the development of final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Joshua Dye
Address: P.O. Box 9046
Phone: 360-890-3472
Fax: 844-652-7096
TTY: Relay 711

Email: Rules@esd.wa.gov

Web site: <https://esd.wa.gov/newsroom/rulemaking/benefits>

Other:

(If necessary)

Name:
Address:
Phone:
Fax:
TTY:
Email:
Web site:
Other:

Additional comments:

Date: May 12, 2021

Name: Dan Zeitlin

Title: Employment Security Policy Director

Signature: