



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: May 15, 2023

TIME: 12:12 PM

WSR 23-11-067

Agency: Employment Security Department

Subject of possible rule making: The Employment Security Department (Department) is engaging in rulemaking to amend current rules in accordance with the Department's 2022 report on transportation network companies and to integrate transportation network companies and their drivers into the unemployment insurance system as set forth in SHB 1570 (2023). This rulemaking will cover unemployment insurance only and will not cover paid family and medical leave.

Statutes authorizing the agency to adopt rules on this subject: RCW 50.12.070, 50.20.010, 50.20.050, 50.20.240, and SHB 1570, which adds new sections to RCW chapter 50.04 and RCW 50.29.021.

Reasons why rules on this subject may be needed and what they might accomplish: This rulemaking will amend the Department's rules to better represent the circumstances and practices of transportation network companies and their drivers and to include transportation network companies and drivers in the unemployment insurance system.

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 with 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)

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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Additional comments:

Date: May 15, 2023	Signature: 
Name: Dan Zeitlin	
Title: Employment Security Policy Director	