

**RULE IMPLEMENTATION PLAN
(RCW 34.05.328)
AMENDED WAC 192-500-070
NEW WAC 192-500-190**

Introduction

Pursuant to RCW 34.05.328, the Paid Family and Medical Leave (PFML) division of the Employment Security Department (Department) hereby places into the rulemaking file this implementation plan.

Previously, an employee filing for bonding leave would have their claim year start on the date of the birth or placement of a child. This resulted in confusion and the possibility of overlapping claim years when an employee would first submit an application for another qualifying event, and then subsequently file an application for bonding leave. This change creates uniformity for administration of the claim year while still adhering to the statutory requirement that an employee's entitlement to bonding leave expires one year after the birth or placement of a child.

Title 50A RCW lacks a definition of sibling. This rule provides clarity for family leave eligibility for individuals wishing to take leave to care for a sibling with a serious health condition.

1. Plan to Implement and Enforce the Rule

Both rules will be integrated into operational policy and discussed with staff internally. They will also be, to the extent necessary, integrated into the program's technological functionality to automate processes and simplify the customer experience.

2. Plan to Inform and Educate Affected Persons

Information regarding WACs 192-500-070 and 192-500-190 will be posted on the Department's website and included in all relevant online literature, including the Benefit Guide. Customer service staff will be trained on the changes and be available by phone and email to answer customer questions.

Claimants will be made aware of the exact dates that comprise their claim year, if applicable, when a determination is made on their initial application for benefits.

Emails are sent to all PFML mailing list subscribers summarizing our rulemaking processes and providing updates on any rule changes. Additional information, including final rule text, is available on our rulemaking website.

3. Promote and Assist Voluntary Compliance

Customer service representatives will be trained on the changes to WACs 192-500-070 and 192-500-190 and will be available by phone and email to answer customer questions.

Employers with approved voluntary plans will be required to comply with the new requirements.

4. Plan to Evaluate Whether the Rules Achieve the Purpose for Which They Were Adopted

The amendment to WAC 192-500-070 is intended to align all claim years to a single event rather than operationalize the possibility of overlapping claim years. The Department is seeking to add clarity and consistency by implementing these changes. The Department may re-visit these definitions in the future if it is determined through customer feedback and customer service staff experiences that the application experience is not improved.