



RULE-MAKING ORDER

CR-103 (June 2004) (Implements RCW 34.05.360)

Agency: Department of Labor and Industries

- Permanent Rule**
 Emergency Rule

Effective date of rule:

Permanent Rules

- 31 days after filing.
 Other (specify) January 15, 2005 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: Employer-Worker Reemployment Incentives, chapter 296-16 WAC

The new rules will assist in the implementation of Chapter 258, Laws of 2004 (Substitute Senate Bill 6615).

The purpose of the new rules is to:

- Redefine the Preferred Worker Program for clarity
- Explain what benefits are available under the Preferred Worker Program
- Clarify which employers and workers may receive Preferred Worker Program benefits, and
- Expand the program, in some situations, to grant benefits to the employer at the time of record.

Citation of existing rules affected by this order:

Repealed: WAC 296-16-010, Premium waived for employment of preferred worker

Amended: None

Suspended: None

Statutory authority for adoption: RCW 51.04.010, RCW 51.04.020 and Chapter 258, Laws of 2004 (SSB 6615).

Other authority:

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 04-19-106 on September 21, 2004.

Describe any changes other than editing from proposed to adopted version: Changes between the proposed and adopted version clarified items such as who is the employer of record, and what benefits are available when the worker has already received "preferred worker" certification under a prior claim.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
 Address: _____ fax () _____
 e-mail _____

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

Date adopted: December 15, 2004

CODE REVISER USE ONLY

NAME (TYPE OR PRINT)

Paul Trause

WSR#05-01-105

SIGNATURE

TITLE

Director

(COMPLETE REVERSE SIDE)

**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	<u>11</u>	Amended	_____	Repealed	<u>1</u>

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in 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>11</u>	Amended	_____	Repealed	<u>1</u>
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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	_____	Amended	_____	Repealed	_____