



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Labor and Industries

<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR <u>15-05-061</u> ; or	<input checked="" type="checkbox"/> Original Notice
<input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or	<input type="checkbox"/> Supplemental Notice to WSR _____
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).	<input type="checkbox"/> Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) WAC 296-20-1103 Travel Expense

Hearing location(s): Labor & Industries  
Rooms S118 & S119  
7273 Linderson Way SW  
Tumwater, WA 98501

Date: June 2, 2015 Time: 1:00 p.m.

Date of intended adoption: June 30, 2015  
(Note: This is NOT the effective date)

**Submit written comments to:**

Name: Laurinda Grytness  
Address: P.O. Box 44329  
Olympia, WA 98504-4329  
e-mail [Laurinda.grytness@lni.wa.gov](mailto:Laurinda.grytness@lni.wa.gov)  
fax (360)902-5035 by (date) June 3, 2015 at 5:00 p.m.

Assistance for persons with disabilities: Contact  
Office of Information and Assistance by May 20, 2015  
TTY (360) 902-5797 or (360) 902-4226

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The proposed rule amendment will affect workers participating in a vocational retraining plan. The existing rule excludes workers in vocational retraining from receiving reimbursement for the first fifteen miles of an authorized one-way trip and the first and last fifteen miles of an authorized round trip. The proposed amendment will allow workers who are actively participating in a vocational retraining plan to receive reimbursement for travel associated with the retraining without a reduction of mileage.

**Reasons supporting proposal:** In response to a petition for rulemaking, Labor and Industries is proposing to amend the travel expense rule, WAC 296-20-1103, to align with RCW 51.32.099(3)(e) regarding the reimbursement of the cost of transportation for a worker who is actively participating in a retraining plan.

Statutory authority for adoption:  
RCW 51.04.020, RCW 51.04.030

Statute being implemented: RCW 51.32.099(3)(e)

**Is rule necessary because of a:**

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: **April 21, 2015**

TIME: **10:00 AM**

WSR **15-09-118**

DATE  
4/21/2015

NAME (type or print)  
Joel Sacks

SIGNATURE

TITLE  
Director

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

**Name of proponent:** (person or organization) Labor and Industries

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Laurinda Grytness	Tumwater, WA	(360) 902-6362
Implementation....Mike Ratko	Tumwater, WA	(360) 902-6369
Enforcement.....Victoria Kennedy	Tumwater, WA	(360) 902-4997

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No. Explain why no statement was prepared.

WAC 296-20-1103 is an interpretive rule and incorporates state statute; therefore chapter 19.85 does not apply to this rule.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No: Please explain: WAC 296-20-1103 is an interpretive rule and not a significant legislative rule under RCW 34.05.328 so no cost-benefit analysis is required.