

NEW SECTION

WAC 192-610-070 Can an employee cancel a claim after it has been submitted to the department? (1) If an employee has not been issued a payment on the claim, an employee may cancel a claim within thirty days of the date of the submitted application for benefits.

(2) The commissioner, at the commissioner's discretion, may permit cancellation of a claim without an issued payment after thirty days from the date of the submitted application for benefits in extreme and unusual circumstances.

(3) An employee may not cancel a claim that has been issued a payment. The department will only cancel a claim that has been issued a payment in any amount if the department made the payment due to departmental error.

(4) If the department has denied benefits before the request to cancel the claim was received, the denial will remain in effect.

(5) The denial of a request to cancel a claim is not subject to appeal.

NEW SECTION

WAC 192-610-075 Can an employer require an employee to take paid time off in place of paid family or medical leave benefits? Employers may not require employees to take paid vacation leave, paid sick leave, or other forms of paid time off provided by the employer before, in place of, or concurrently with paid family or medical leave benefits.

NEW SECTION

WAC 192-610-080 When should an employee reopen a claim? (1) When an employee has an existing claim year and more than four consecutive weeks have passed since the employee filed a weekly claim for benefits, or the employee experiences a new qualifying event, the employee must reopen the claim in order to receive benefit payments.

(2) If the duration of leave for a qualifying event has not expired:

(a) The employee can reopen the claim and file weekly claims as necessary.

(b) If the employee requests to claim the weeks prior to the date the claim is reopened, the employee must have good cause as defined in WAC 192-610-040 to claim prior weeks.

(3) If the duration of leave for the qualifying event has expired or the reason for leave is not the same as the previous qualifying event, the employee must reopen the claim by updating the application as required under WAC 192-610-010 before benefits will be paid.

NEW SECTION

WAC 192-610-085 How should an employee reopen a claim? An employee may reopen a claim by:

- (1) By using the department's online services;
- (2) Contacting the paid family and medical leave customer care center by telephone; or
- (3) Alternate methods authorized by the commissioner.