

Chapter 192-560 WAC
SMALL BUSINESS ASSISTANCE

Last Update: 7/29/21

WAC

| | |
|-------------|--|
| 192-560-010 | Which businesses are eligible for small business assistance grants? |
| 192-560-011 | What small business grants are available under pandemic leave assistance? |
| 192-560-020 | What is the application process for a small business assistance grant? |
| 192-560-030 | What are significant additional wage-related costs for the purposes of small business assistance grants? |

WAC 192-560-010 Which businesses are eligible for small business assistance grants? (1) An employer determined to have one hundred fifty or fewer employees in the state that is assessed the employer share of the premiums is eligible to apply for small business assistance grants.

(2) An employer determined to have fewer than fifty employees is only eligible for a small business assistance grant if the employer opts to pay the employer share of the premiums.

(a) The employer will be assessed the employer share of the premiums for a minimum of twelve consecutive calendar quarters beginning with the first calendar quarter after the most recent grant is approved.

(b) The employer may provide notice at any time after the approval of the grant to opt out of paying the employer share of the premiums.

(i) If the twelfth consecutive quarter following approval of the grant has ended, the opt-out will become effective on the first day of the following quarter.

(ii) If the twelfth consecutive quarter following approval of the grant has not ended, the opt-out will become effective on the first day of the thirteenth quarter following approval of the grant.

(3) An employer is not eligible for a small business assistance grant if, at the time of application, the employer has outstanding and delinquent reports, outstanding and delinquent payments, or due and owing penalties or interest under Title 50A RCW.

(4) An employer may request only one grant per year for each employee who takes paid family or medical leave under this title. Submissions under (a) and (b) of this subsection do not qualify as grant applications and therefore do not count against the employer's limit of ten applications per year.

(a) An employer that qualifies for a grant under RCW 50A.24.010 for an amount that is less than one thousand dollars may submit documentation of significant additional wage-related costs incurred after filing the initial grant application in an attempt to qualify for additional grant funds.

(b) An employer may submit a revised application for a grant under RCW 50A.24.010 in an attempt to qualify for additional grant funds.

(5) An employer must apply for any grant no later than four months following the last day of the employee's paid family or medical leave.

[Statutory Authority: RCW 50A.05.060 and 50A.25.030. WSR 21-11-009, § 192-560-010, filed 5/7/21, effective 6/7/21. Statutory Authority: RCW 50A.04.215. WSR 19-23-090, § 192-560-010, filed 11/19/19, effective 12/20/19; WSR 18-22-080, § 192-560-010, filed 11/2/18, effective 12/3/18.]

WAC 192-560-011 What small business grants are available under pandemic leave assistance? (1) An employer may apply for one small business assistance grant based on an employee taking leave under pandemic leave assistance.

(2) An application for a small business grant for an employee taking leave under pandemic leave assistance does not count toward an employer's maximum number of applications for small business grants permitted under RCW 50A.24.010(4).

(3) An employer may not use additional grant applications permitted under RCW 50A.24.010(4) to receive more than one grant for an employee taking leave under pandemic leave assistance.

(4) The application process for a small business grant for an employee taking leave under pandemic leave assistance must follow the same process as described in WAC 192-560-020.

[Statutory Authority: RCW 50A.05.060, 50A.25.030, 50A.05.010 and 2021 c 109 § 5. WSR 21-16-062, § 192-560-011, filed 7/29/21, effective 8/1/21.]

WAC 192-560-020 What is the application process for a small business assistance grant? (1) Applications for small business assistance grants must be submitted online or in another format approved by the department. To be approved, an application must contain:

(a) The name and Social Security number or individual taxpayer identification number of the employee taking leave;

(b) The amount and type of grant being requested;

(c) An explanation summarizing any personnel or significant additional wage-related costs that were taken because of an employee taking leave; and

(d) Written documentation including, but not limited to, personnel records related to the hiring of a new temporary employee, wage reports, and signed statements, showing the temporary worker hired or significant additional wage-related costs incurred are due to an employee's use of leave.

(2) Incomplete applications will not be reviewed and will not count against an employer's limit of ten applications per year under RCW 50A.24.010.

(3) The department will deny the application for reasons including, but not limited to, the employer's failure to demonstrate that:

(a) It hired a temporary worker or incurred any significant additional wage-related costs; or

(b) The temporary worker hired or significant additional wage-related cost incurred was not due to an employee's use of family or medical leave.

(4) If a grant application is denied, the application will count against an employer's limit of ten applications per year.

(5) The denial of a grant application is appealable.

[Statutory Authority: RCW 50A.05.060. WSR 21-04-067, § 192-560-020, filed 1/29/21, effective 3/1/21. Statutory Authority: RCW 50A.05.60 [50A.05.060] and 50A.25.030. WSR 20-01-087, § 192-560-020, filed 12/12/19, effective 1/12/20. Statutory Authority: RCW 50A.04.215. WSR 18-22-080, § 192-560-020, filed 11/2/18, effective 12/3/18.]

WAC 192-560-030 What are significant additional wage-related costs for the purposes of small business assistance grants? Significant additional wage-related costs are added expenses incurred by the small business due to an employee's use of leave and include:

- (1) Paying additional wages to an existing employee;
- (2) Outsourcing costs;
- (3) Certification;
- (4) Equipment purchases; or
- (5) Other costs that the department, in its discretion, determines are appropriate.

[Statutory Authority: RCW 50A.04.215. WSR 18-22-080, § 192-560-030, filed 11/2/18, effective 12/3/18.]