

WSR 22-18-091

PERMANENT RULES

EMPLOYMENT SECURITY DEPARTMENT

[Filed September 7, 2022, 8:10 a.m., effective October 8, 2022]

Effective Date of Rule: Thirty-one days after filing.

Purpose: WAC 192-150-180 currently references RCW 50.20.050(3). Section 4, chapter 251, Laws of 2021 (ESSB 5190), added a new subsection (3) to RCW 50.20.050 and renumbered the previous subsection (3) as subsection (4). This amendment to WAC 192-150-180 will replace the reference to RCW 50.20.050(3) with a reference to RCW 50.20.050(4).

Citation of Rules Affected by this Order: Amending WAC 192-150-180.

Statutory Authority for Adoption: RCW 50.12.010 and 50.12.040 provide general rule-making authority to the employment security department. RCW 50.20.050 addresses disqualifications for quitting part-time work when an individual was simultaneously employed in a part-time job and a full-time job.

Adopted under notice filed as WSR 22-13-014 on June 2, 2022.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 7, 2022.

Dan Zeitlin  
Employment System Policy Director

**OTS-3804.1**

AMENDATORY SECTION (Amending WSR 17-17-129, filed 8/22/17, effective 9/22/17)

**WAC 192-150-180 Quitting part-time work—RCW 50.20.050(~~(3)~~)**

- (4).** (1) **Definitions.** For purposes of this section:
  - (a) "Part-time work" means fewer than (~~(35)~~) thirty-five hours of work per week.
  - (b) "Full-time work" means work of (~~(35)~~) thirty-five or more hours per week.
- (2) If you are simultaneously employed in a part-time job and a full-time job, you will not be denied benefits for quitting the part-time job under the following circumstances:
  - (a) You quit the part-time job before losing your full-time job;
  - (b) You did not know in advance that your full-time job would be ending; and

(c) You are eligible for benefits based on the separation from your full-time job.

(3) If you are denied benefits under RCW 50.20.050(~~(+3)~~) (4), the period of denial is the same as that under RCW 50.20.050 (2)(a). This means you will be denied for a period of seven weeks and until you earn at least seven times your weekly benefit amount in covered employment.

(4) **Examples.** The following are examples only and do not mean that the department would rule the same in similar situations.

(a) *You quit a part-time job two weeks before being laid off from your full-time job.* Benefits are allowed because you meet the criteria of subsection (2) of this section.

(b) *You quit a part-time job before the hours at your full-time job were reduced.* Benefits are allowed because you meet the criteria of subsection (2) of this section.

(c) *You quit a part-time job two weeks before the end of a temporary full-time job.* You had prior knowledge that the full-time job was ending. Benefits would be denied unless you had good cause for quitting the part-time job under RCW 50.20.050(2).

(d) *You quit a part-time job two weeks before being discharged from the full-time job.*

(i) If the separation from the full-time job was for misconduct, benefits would be denied for quitting the part-time job because you are not eligible for benefits based on the separation from the full-time job.

(ii) If the separation from the full-time job was not misconduct, benefits would be allowed because you meet the criteria of subsection (3).

(e) *You quit the part-time job and the full-time job on the same day.* The department will determine if you had good cause to quit both jobs under RCW 50.20.050(2).

(f) *You quit a part-time job but are still employed full-time at your other job.* The department will determine if you had good cause to quit under RCW 50.20.050(2).

[Statutory Authority: RCW 50.12.010 and 50.12.040. WSR 17-17-129, § 192-150-180, filed 8/22/17, effective 9/22/17. Statutory Authority: RCW 50.12.010, 50.12.040, and 50.20.010. WSR 09-24-008, § 192-150-180, filed 11/20/09, effective 12/21/09.]