

WSR 26-01-016

PROPOSED RULES

EMPLOYMENT SECURITY DEPARTMENT

[Filed December 4, 2025, 1:21 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 25-17-088.

Title of Rule and Other Identifying Information: WAC 192-460-150
Use of employee information under the Securing Timely Notification and
Benefits for Laid-off Employees Act.

Hearing Location(s): On January 30, 2026, at 9:00 a.m., via Zoom
at [https://esd-wa-gov.zoom.us/j/89043828043?](https://esd-wa-gov.zoom.us/j/89043828043?pwd=e8votxtNm6fri26l64sQDnE6YhQCv.1)
[pwd=e8votxtNm6fri26l64sQDnE6YhQCv.1](https://esd-wa-gov.zoom.us/j/89043828043?pwd=e8votxtNm6fri26l64sQDnE6YhQCv.1), Meeting ID 890 4382 8043, Pass-
code 466506.

Date of Intended Adoption: February 2, 2026.

Submit Written Comments to: Stephanie Frazee, P.O. Box 9046,
Olympia, WA 98507-9046, email esdgpuirules@esd.wa.gov, fax
844-652-7096, beginning December 4, 2025, by January 30, 2026, at 5:00
p.m.

Assistance for Persons with Disabilities: Contact Teresa Eck-
stein, phone 360-507-9890, fax 360-586-4600, TTY relay 711, email
Teresa.eckstein@esd.wa.gov, by January 23, 2026.

Purpose of the Proposal and Its Anticipated Effects, Including
Any Changes in Existing Rules: Under chapter 49.45 RCW, certain em-
ployers are required to provide notice to impacted employees and the
employment security department (department) before the employer ini-
tiates a mass layoff or business closing, with certain exceptions. The
notices must include the names and addresses of impacted employees.
The purpose of this new rule is to explain that employee information
received by the department through employer notices required by RCW
49.45.020 will be used by the department to administer and provide
services to those individuals under the Employment Security Act in Ti-
tle 50 RCW. Specifically, the department will use the information in
the notices to provide unemployment insurance information, dislocated
worker program services, job seeker services, and retraining services,
among others. This rule will help clarify that, although the notices
are required under chapter 49.45 RCW, the department will use the in-
formation in the notices to carry out its duties under Title 50 RCW.

Reasons Supporting Proposal: The proposed rule is necessary to
explain that employee information received by the department through
employer notices required by RCW 49.45.020 will be used by the depart-
ment to administer and provide services to those individuals under the
Employment Security Act in Title 50 RCW. Specifically, the department
will use the information in the notices to provide unemployment insur-
ance information, dislocated worker program services, job seeker serv-
ices, and retraining services, among others. This rule will help clar-
ify that, although the notices are required under chapter 49.45 RCW,
the department will use the information in the notices to carry out
its duties under Title 50 RCW.

Statutory Authority for Adoption: RCW 49.45.070, 50.12.010, and
50.12.040.

Statute Being Implemented: RCW 49.45.020, 50.12.190 -
[50.12].252, 50.13.020, and chapter 50.20 RCW.

Rule is not necessitated by federal law, federal or state court
decision.

Name of Proponent: Employment security department, governmental.

Name of Agency Personnel Responsible for Drafting: Stephanie Fra-
zee, Olympia, Washington, 425-465-0313; Implementation and Enforce-
ment: J.R. Richards, Olympia, Washington, 360-463-1079.

A school district fiscal impact statement is not required under
RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. The
rule is exempt from the requirement to prepare a cost-benefit analysis
under RCW 34.05.328 (5)(b)(ii) because the rule relates only to inter-
nal governmental operations that are not subject to violation by a
nongovernment party.

This rule proposal, or portions of the proposal, is exempt from
requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules relate only to in-
ternal governmental operations that are not subject to vio-
lation by a nongovernment party.

Explanation of exemptions: The rule explains how the department
uses the information it receives from the employer notices; therefore,
the rule pertains only to the department's internal operations and
does not impose any requirements on other parties.

Scope of exemption for rule proposal:

Is fully exempt.

December 4, 2025

Joy Adams, Director

Employment System Policy and Integrity Division

RDS-6679.2

NEW SECTION

**WAC 192-460-150 Use of employee information under the Securing
Timely Notification and Benefits for Laid-off Employees Act.** The de-
partment shall use employee information received through notices re-
quired under RCW 49.45.020 to administer the Employment Security Act
for the benefit of those affected by a business closure or mass lay-
off. This includes:

- (1) Facilitating prompt access to information and support regard-
ing unemployment insurance benefits for affected employees;
- (2) Coordinating with workforce development partners to provide
rapid response services; and
- (3) Supporting program integrity through eligibility verification
and fraud prevention.