

WSR 26-04-126
PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT

[Filed February 4, 2026, 8:56 a.m.]

Subject of Possible Rule Making: The purpose of this rule making is to make the employment security department's (department) rule regarding registration for work consistent with state and federal law. RCW 50.20.010 (1)(a), 50.20.230, and 20 C.F.R. § 652.210(a) require that claimants register for work in order to be eligible for benefits. Currently, WAC 192-180-005 states that the department will register claimants for work.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010, 50.12.040, 50.20.010, and 50.20.230.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The goals of the rule making include ensuring compliance with state and federal law. Additionally, the department is updating its systems in 2026 to comply with legal requirements regarding claimant registration for work (RCW 50.20.230), and this rule change is necessary to be consistent with those operational changes. Currently, with the department registering claimants for work, claimants may not be aware they have been registered for work and may not be aware of the services available to them through the labor exchange system. Having claimants register themselves will help ensure that they have access to the work registration system and can take advantage of those services.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor (USDOL) reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of the unemployment insurance laws, so long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

Process for Developing New Rule: Draft rules will be shared with the public and stakeholders. The department will solicit input and consider all comments in the development of final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Stephanie Frazee, P.O. Box 9046, phone 425-465-0313, fax 844-652-7096, TTY relay 711, email stephanie.frazee@esd.wa.gov, website <https://esd.wa.gov/about-us/who-we-are-and-what-we-do/rulemaking/unemployment-insurance-benefits-rules>.

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