



PROPOSED RULE MAKING

CR-102 (June 2024)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: January 07, 2025
TIME: 9:49 AM

WSR 25-03-024

Agency: Employment Security Department

Original Notice

Supplemental Notice to WSR

Continuance of WSR

Preproposal Statement of Inquiry was filed as WSR 24-21-047; or

Expedited Rule Making--Proposed notice was filed as WSR ____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW ____.

Title of rule and other identifying information: (describe subject) WAC 192-150-110 (Mandatory military transfers—RCW 50.20.050(2)(b)(iii)) amendment.

Hearing

location(s):

Date: Ti Location: (be specific)

Comment:

me
:

March 6, 2025	9:00 AM	Zoom Meeting ID: 812 5163 9176 Passcode: 859955 One tap mobile +13092053325,,81251639176#,,,,*859955# US +13126266799,,81251639176#,,,,*859955# US (Chicago)
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Join meeting: <https://esd-wa.gov.zoom.us/j/81251639176?pwd=ayTvHYrFgZFrZogmtf2da3mJq1PX8b.1>

Date of intended adoption: March 27, 2025 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Lawrence Larson
Address: P.O Box 9046, Olympia, WA 98507-9046
Email: esdgpuirules@esd.wa.gov
Fax: 844-652-7096
Other

By: March 6, 2025

Assistance for persons with disabilities:

Contact: Teresa Eckstein
Phone: 360-507-9890
Fax: 360-586-4600
TTY: Relay 711
Email: Teresa.eckstein@esd.wa.gov
Other

By: February 27, 2025

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

WAC 192-150-110 provides guidance on the requirements for establishing good cause to quit work if an individual quits work to relocate for their spouse or domestic partner's employment that is due to a mandatory military transfer. Currently, WAC 192-150-110(3) defines military as including the following: U.S. Navy, U.S. Army, U.S. Air Force, U.S. Marine Corps, U.S. Coast Guard, activated reserve members of any of these service branches, activated members of the National Guard, commissioned officers of the National Oceanographic and Atmospheric Administration, and commissioned officers of the regular or reserve corps of the U.S. Public Health Service. This list of military branches in the rule does not include the U.S. Space Force. The Department is amending WAC 192-150-110 to expand the definition of military so that it explicitly includes all branches of the United States Armed Forces.

Reasons supporting proposal: Space Force was founded in 2019 and now has over 14,000 military and civilian personnel. Although it is organized under the Department of the Air Force, it is a separate and distinct branch of the armed services. The proposed amendment to WAC 192-150-110 will clarify, by making explicit, that the definition of military includes all branches of the United States Armed Forces.

Statutory authority for adoption: RCW 50.12.010, RCW 50.12.042, and RCW 50.12.040 provide general rulemaking authority to the Employment Security Department. RCW 50.20.050 defines disqualification for leaving work voluntarily without good cause. Specifically, under RCW 50.20.050(2)(b)(iii), a claimant has good cause to quit when they (A) left work to relocate for the employment of a spouse or domestic partner that is outside the existing labor market area and (B) remained employed as long as was reasonable prior to the move.

Statute being implemented: RCW 50.20.050

Is rule necessary because of a:

- Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None.

Name of proponent: (person or organization) Employment Security Department

Type of proponent: Private. Public. Governmental.

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting	Lawrence Larson	Olympia, WA	360-890-3460
Implementation	JR Richards	Olympia, WA	360-463-1079
Enforcement	JR Richards	Olympia, WA	360-463-1079

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name
Address
Phone
Fax
TTY
Email
Other

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name: Lawrence Larson
Address: P.O Box 9046, Olympia, WA 98507-9046
Phone: 425-465-0313
Fax: 844-652-7096
TTY: Relay 771
Email: esdgpurules@esd.wa.gov
Other: <https://esd.wa.gov/newsroom/rulemaking>

No: Please explain: This rulemaking does not change the effect of the rule, it only clarifies that all branches of the United States Armed forces will be included in the definition.

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:

[RCW 34.05.310](#) (4)(b)
(Internal government operations)

[RCW 34.05.310](#) (4)(e)
(Dictated by statute)

[RCW 34.05.310](#) (4)(c)
(Incorporation by reference)

[RCW 34.05.310](#) (4)(f)
(Set or adjust fees)

[RCW 34.05.310](#) (4)(d)
(Correct or clarify language)

[RCW 34.05.310](#) (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#). (Does not affect small businesses).

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule: This rulemaking does not change the effect of the rule, it only clarifies that all members of the United States Armed forces will be included in the definition.

(2) Scope of exemptions: *Check one.*

The rule proposal: Is fully exempt. (*Skip section 3.*) Exemptions identified above apply to all portions of the rule proposal.

The rule proposal: Is partially exempt. (*Complete section 3.*) The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):

The rule proposal: Is not exempt. (*Complete section 3.*) No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs.

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name
Address
Phone
Fax
TTY
Email
Other

Date: January 7, 2025

Name: Joy Adams

Title: Employment Security Policy Director

Signature:



Place signature here