



# 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: August 20, 2025

TIME: 8:42 AM

WSR 25-17-090

Agency: Employment Security Department

☒ Original Notice

☐ Supplemental Notice to WSR

☐ Continuance of WSR

☒ Preproposal Statement of Inquiry was filed as WSR 23-11-067; 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: WAC 192-320-071 Relief of charges to employers furnishing part-time work; WAC 192-150-115 Reduction in compensation of 25 percent or more—RCW 50.20.050(2)(b)(v); WAC 192-150-120 Reduction in hours of 25 percent or more—RCW 50.20.050(2)(b)(vi)

Hearing location(s): Zoom

Date:

Time:

Location:

Comment:

October 8, 2025

9:00 AM

<https://esd-wa-gov.zoom.us/j/87604079265?pwd=iwFiHsacQPZEkwB2Kazi2InFMBX.1>

Meeting ID: 876 0407 9265  
Passcode: 523531

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One tap mobile  
+13126266799,,87604079265#,,, \*523531# US  
(Chicago)  
+16465588656,,87604079265#,,, \*523531# US  
(New York)

Date of intended adoption: October 29, 2025 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Stephanie Frazee

Address: P.O Box 9046, Olympia, WA 98507-9046

Email: [esdgpuirules@esd.wa.gov](mailto:esdgpuirules@esd.wa.gov)

Fax: 844-652-7096

Other

Beginning August 20, 2025

By October 8, 2025 at 5:00 PM

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](mailto:Teresa.eckstein@esd.wa.gov)

Other

By October 1, 2025

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The purpose of this rulemaking is to update the Department's rules to reflect changes made in Substitute House Bill 1570 (2023) regarding relief of benefit charging for part-time employers. SHB 1570 allows employers to be eligible for relief of benefit charges if they are continuing to provide part-time work in "substantially the same amount" to a claimant rather than providing part-time work only "on a regularly scheduled permanent" basis, and the individual has become eligible for unemployment insurance benefits because of loss of employment with one or more other employers.

The rulemaking will also update the Department's rules on voluntary quits for reduction in hours or compensation of 25 percent or more to reflect the nature of work for transportation network companies. The rules specify that a reduction in usual hours or compensation will be measured by comparing the region's aggregate data in past quarters to recent quarters to determine whether a driver has good cause for voluntarily quitting work for a TNC.

**Reasons supporting proposal:** SHB 1570 (2023) incorporated transportation network companies and their drivers into the unemployment insurance system and provided more flexibility for employers who offer part-time work and are seeking relief of benefit charges. These changes require updates to the Department's rules. The approach of using aggregate data to determine a 25 percent or more in hours or compensation is necessary because, in general, drivers may work as much or as little as they choose; TNCs do not offer a certain number of hours or a specific amount of compensation. Therefore, using an individual driver's data may not show whether the total hours or compensation available to them was reduced. Comparing aggregate data from comparable quarters will provide a better picture of whether the hours and compensation available to a driver were reduced in that driver's region such that the driver had good cause to voluntarily quit.

**Statutory authority for adoption:** RCW 50.12.010; RCW 50.12.040; RCW 50.12.070; SHB 1570, which added a new section to RCW chapter 50.04 (RCW 50.04.370) and amended RCW 50.29.021; RCW 50.20.050.

**Statute being implemented:** RCW 50.29.021; RCW 50.20.050; RCW 50.04.370.

**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	Stephanie Frazee	Olympia, WA	425-465-0313
Implementation	J.R. Richards	Olympia, WA	360-463-1079
Enforcement	J.R. 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: Stephanie Frazee

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](mailto:esdgpurules@esd.wa.gov)

Other: <https://esd.wa.gov/newsroom/rulemaking>

☐ No: Please explain:

## 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:

### (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 The Department determined that the costs associated with the rule are minor. The rulemaking implements bill changes made by SHB 1570 without imposing any additional costs to businesses. The aggregate data mentioned in the proposed rules is an aggregation of wage and hour data that TNCs are already required to report to ESD. The aggregation of existing data should impose only de minimus 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

<b>Date:</b> August 20, 2025	 <b>Signature:</b>
<b>Name:</b> Joy Adams	
<b>Title:</b> Director, Employment System Policy & Integrity	