

## Meeting details

**Date:** Wednesday, October 22<sup>nd</sup>, 2025

**Time:** 1:00 pm – 2:00 pm

**Location:** Zoom

### Committee members and alternates present

#### Employee Representatives

- John Traynor, Washington State Labor Council
- Brenda Wiest, Teamsters 117

#### Employer Representatives

- Josie Cummings, Avista
- Julia Gorton, Washington Hospitality Association
- James Crandall, Association of Washington Business

#### General Public Representatives

- John Glynn, Washington Workforce Association
- Anne Paxton, Unemployment Law Project

### Committee members and alternates absent

- Cindy Richardson, UNITE HERE Local 8 (employer representative)
- Joe Kendo, Washington State Labor Council (alternate employee rep)
- Tammy Hetrick, Washington Food Industry Association (alternate employee rep)
- Katie Beeson, Washington Food Industry Association (alternate employee rep)
- Monica Holland, Northwest Justice Project (alternate public rep)
- Allyson O'Malley-Jones, Northwest Justice Project (alternate public rep)

### ESD staff

- Joy Adams
- Erika Ayala
- Chris Barron
- Todd Dixon
- Josh Dye
- Vaughn Ellis
- Stephanie Frazee
- Gerald Gabbard
- Camille Galeno
- Colin Helsley

- Kennidi Hunsicker
- Reese Hutchison
- Alberto Isiordia
- Lawrence Larson
- JR Richards
- Tatjana Roberts
- Stephanie Sams
- Eve Sheng
- Dan Zeitlin

## Summary

### Meeting Recorded

This meeting was [recorded](#) and livestreamed by TVW. Please reference this recording for further meeting details and full dialogue using the indicated timestamps.

### Welcome and Opening Remarks

Committee chair JR Richards welcomed everyone to the meeting and asked committee assistant Colin Helsley to call roll.

### Agenda

JR reviewed the following agenda items (also see Addendum I)

- Approval of September 17, 2025, meeting minutes
- Proposed 2026 Meeting Schedule
- ESSB 5041 Striking Workers
- Relief of Benefit Charging
- Rule Making Update
- September Trust Report
- Federal Shutdown Update
- OPMA Training in December
- Public comment
- Adjourn

### Meeting Minutes

At the beginning of the meeting there were not enough committee members for a quorum. After the OPMA Training agenda topic, more committee members entered the meeting. JR requested that committee members review the September 17, 2025, draft UIAC meeting minutes and provide their feedback. Brenda Wiest moved to approve the minutes. Julia Gorton seconded the motion. All in favor said “aye”. No members were opposed. The September 17, 2025, meeting minutes were approved.

## Proposed 2026 Meeting Schedule

JR Richards, Insurance Services Director, ESD proposed the 2026 meeting schedule using the following slides.

Proposed 2026 Meeting Schedule			
Date	Proposed agenda items	Date	Proposed agenda items
January 30 - Friday February 20 - Friday March 20 - Friday 1:30 to 2:30	Legislative session update Rulemaking update General UI updates	September 16 - Wednesday 1:30 to 3:30	Labor Market - Economic Outlook MWBA Report UI Peak Report Rulemaking update
June 24 - Wednesday 1:30 to 3:30	Legislative Implementation Rulemaking updates	October 21 - Wednesday 1:30 to 3:30	Trust Fund Report 2027 Proposed Meeting Schedule Benefit Charging Relief - Report
August 19 - Wednesday 1:30 to 3:30	Trust Fund Report MWBA Report Agency Request Legislation Rulemaking update Agency Budget - Decision Packages	December 9 - Wednesday 1:30 to 3:30	Legislative and Government Affairs Update Governor's Budget Trust Fund Report

JR Richards asked committee members to provide feedback on the proposed schedule before the next committee meeting in December.

## ESSB 5041 – Striking Workers

Marypat Meuli, Group Product Manager, ESD provided an updates on ESSB 5041 using the following slides.

### ESSB 5041: UI benefits for striking & lockout workers

- Conducted stakeholder outreach in July:
  - UIAC listening sessions
  - Focus groups
  - Union feedback
- This feedback informed our strategy for implementation:
  - Keep the experience consistent with current UI benefit flow
  - Focus on clarity and simplicity in communications
  - Communicate proactively to stakeholders
- Development on track and ready for implementation by Jan 1, 2026
- Reporting planning is underway and will be ready by Dec, 2026
- Next update will be at the December UIAC meeting

### ESSB 5041: Customer Flow

- Strike starts
- Claimants **disqualified until the second Sunday after strike start date** (8-14 days of disqual, depending on day strike starts)

#### January 2026

Sun.	Mon.	Tue.	Wed.	Thu.	Fri.	Sat.
				1	2	3
4	5	6	7	8	9	10 <span>1</span>
11 <span>1</span>	12	13	14	15	16	17
18 <span>2</span>	19	20	21	22	23	24
25 <span>2</span>	26	27	28	29	30	31

## ESSB 5041: Customer Flow



- Claimant reaches second Sunday after strike begins
- Strike continues this Sunday – Saturday week
- If this is a new claim, this is the claimant's waiting week
- If this is a reopened claim and the claimant has already served a waiting week, this is their first paid week

January 2026						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

## ESSB 5041: Customer Flow



- Claimant reports being on strike by:
  1. Filing a new claim  
or  
Reopening a current claim
  2. Reporting their work history
    - For current employer where claimant is on strike, claimant chooses the separation reason "I am on strike"

## ESSB 5041: Customer Flow



- When the claimant first files a weekly claim, if they are participating in a strike, they will receive a letter that tells them:

The strike started on Jan. 07, 2026.

You cannot receive unemployment benefits until the second Sunday after the strike starts. This disqualification period is required by law.

**You qualify for up to six weeks of unemployment benefits** starting Jan. 18, 2026. To get these benefits you need to:

Be on strike.

and

File weekly claims.

While you are participating in this strike, you do not need to search for work.

The laws that apply are RCW 50.20.090, WAC 192-100-060 and WAC 192-180-010.

## ESSB 5041: Customer Flow



- Claimant can receive up to 6 paid weeks of UI benefits if the strike continues
- Once claimant has received 6 paid weeks of UI benefits, they will receive a disqualification letter if they file another weekly claim.

**We denied your unemployment benefits starting [Sunday date after 6 paid weeks have occurred].**

You have been paid six weeks of benefits while you were on strike. This is the maximum number of weeks you can be paid while on strike.

You do not qualify for benefits as long as you are still on strike.

The laws that apply are RCW 50.20.090 and WAC 192-100-060.

## ESSB 5041: Customer Questions




- What if I go on strike for a day? Can I still get benefits?
- Do I need to be able and available?
- Do I need to meet general eligibility requirements to get benefits or can I just be on strike?
- Does strike pay reduce my benefits?

No questions were raised.

## Relief of Benefit Charging Report Out

Stephanie Frazee, Legislation and Rules Coordinator, ESD, provided a report out on Relief of Benefit Charging Report using the following slides.

### Relief of Benefit Charging Report out



RCW 50.12.200(2) requires the Department to report to UIAC the amount of benefits not charged to employers because the employer discharged an individual because they were unable to satisfy a job prerequisite required by law or administrative rule

From Fourth Quarter 2024 to Third Quarter 2025

- Relief has been granted 22 times, related to claimant not having the required license or certification or failing to complete or pass a background check
- Total potential benefit charge relief across all 22 instances is \$79,086.88
  - Potential benefit charge relief = Maximum Benefits Payable X Employer's Percent of Base Year Wages

No questions were raised.

## Rulemaking Update

Stephanie Frazee, Legislation and Rules Coordinator, ESD, provided a rulemaking update using the following slides.

### Rule-making update



- CRO Filing** – We are amending our rules to clarify filing requirements with the Commissioner's Review Office. Hearing was held on September 25. We are working on formally adopting the rules.
- Transportation Network Companies** – We are working on rules on quitting for reduction of hours or compensation of 25% or more for TNC drivers and adding a rule on relief of benefit charges for employers who offer part-time work. Hearing was held on October 8, 2025. We are reviewing the comments.

### Rule-making update



**ESSB 5525 – Securing Timely Notification and Benefits for Laid-off Employees Act**

- Rule Governance Statement** – We have started a rulemaking to update WAC 192-01-001 to include administration of the mass layoffs program under Title 49 RCW. We filed the CR 105, and the rule change will be effective November 19, 2025, if no objections are received.
- Use of Employee Information** – We have shared draft rule language clarifying that employee information obtained by the Department will be used to administer the Employment Security Act. We are working on the CR 102 to formally propose the rule.
- Documentation for Exceptions** – We are drafting rule language in accordance with Section 7 of the bill, which requires the Department to adopt rules that include documentation requirements for exceptions to the notice requirement.
- Definitions** – We are looking at terms in the bill that may benefit from further definition, such as "unforeseeable."

**Recording timestamp 01:29:04**

**Question from Josie Cummings:** I was just curious, with the expedited rulemaking. How will that line up? I know that the department, you may be pursuing legislation on the public records. fix within laid-off, employee information. How will that kind of...Potential legislation work with the expedited rulemaking timeline.

**Answer from Stephanie Frazee:** The expedited rulemaking is not addressing that aspect of the bill. The expedited rulemaking only pertains to updating WAC 192-01-001, which is our rule governance statement. All we're doing in the expedited rulemaking is adding Title 49 RCW to the list of RCWs that the department has rulemaking authority under. Most of the rulemaking that we're doing for this bill is going to be, through the regular permanent rulemaking process.



Josh Dye, Government Relations Director, ESD followed up with: We're currently in conversations with the governor's office and OFM on potential agency request legislation. These will kind of go down two separate but similar paths. We'll work down the rulemaking, as Stephanie's describing, and then hopefully, in the next couple of weeks, we'll have more we can share on the agency request side.

## September Trust Fund Report

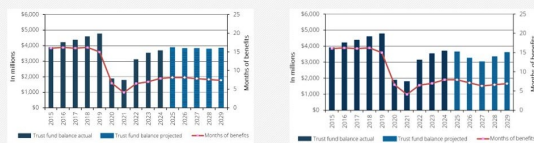
Eve Sheng, Managing Actuary, ESD, presented on the September Trust Fund using the following slides.

### Trust Fund Balance



On September 30, the UI trust fund held approximately \$3.8 billion, and we project a balance of \$3.7 billion at end of 2025

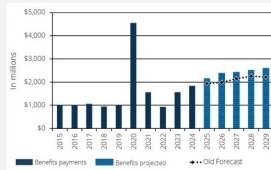
Regression Forecast (Old Model) Time Series Forecast (Updated Model)



### Benefit Payments



Projected Benefit Payments	June 2025	September 2025
2025	\$ 2.1 Billion	\$ 2.2 Billion
2026	\$ 2.4 Billion	\$ 2.4 Billion



### Employer Contributions



Projected Employer Contributions	June 2025	September 2025
2025	\$1.9 Billion	\$2.0 Billion
2026	\$1.7 Billion	\$1.7 Billion



### Employer Tax Rate (Aggregated Average)



Taxes	2024	2025	2026	2027	2028	2029
➔ Average experience tax rate	0.88%	0.76%	0.65%	0.76%	0.88%	0.88%
Experience tax contributions (millions)	\$1,496.2	\$1,374.7	\$1,077.4	\$1,237.4	\$1,485.3	\$1,559.9
Flat social tax rate	0.60%	0.60%	0.60%	0.69%	0.69%	0.60%
Social tax contributions (millions)	\$572.1	\$616.6	\$630.7	\$738.3	\$750.8	\$717.7
Solvency tax contributions (millions)	0	0	0	0	\$344.2	\$354.5
➔ Total average tax rate	1.42%	1.26%	1.05%	1.19%	1.50%	1.48%
Total tax contributions (millions)	\$2,068.3	\$1,991.2	\$1,708.0	\$1,975.7	\$2,580.3	\$2,632.1

September trust fund report Figure 4.a.


JR Richards will follow up with an email to the committee with a direct link to the Trust Fund report, along with a snapshot of our proposed 2026 schedule so committee members can take a look and provide feedback.

No questions were raised.

### Federal Shutdown Update


JR Richards, Insurance Services Director, ESD, provided an update on the federal shutdown using the following slides.

#### Increase in unemployment claims



- 1,184 federal workers in WA state have applied for benefits through October 15
  - About 79 per day
- Represents a small percentage of all unemployment claims, but
  - They are more complex and take longer to process
- The shutdown is adding to an already increasing caseload
  - Ongoing weekly claims at 2,784,359
  - On pace to pass 2024's total of 3,270,098
- Support for federal workers
  - In partnership with Pac. Mtn. WDC, ESD is hosting a webinar for federal workers
  - WorkSource offers services for workers and contractors
  - DFI has compiled a list of financial resources for federal workers

#### Largest federal employers in our state




1. US Department of Defense (civilian) – 32,579
2. US Postal Service – 11,669
3. US Department of Veteran Affairs – 10,130
4. US Department of Homeland Security – 4,879
5. US Department of Transportation – 2,282
6. Bonneville Power Administration – 1,914
7. US Department of Agriculture – 1,527
8. Social Security Administration – 1,117
9. US Department of Treasury, 1,048
10. Common Support Service Office (US Dept. of Navy) - 895

No questions were raised.

### OPMA Training in December

JR Richards, Insurance Services Director, ESD, reviewed upcoming training using the following slides.

#### OPMA training in December



- The ESD Advisory Committees are subject to the Open Public Meetings Act and Public Records Act
- Open Public Meetings Act (OPMA) training is scheduled for our regular UIAC meeting on December 10
- The training will begin at Noon and lasts only 30 minutes.
- Facilitated by Washington State Office of Attorney General

No questions were raised.

## Public Comments

JR reminded meeting participants that if they would like their comments captured in the meeting minutes to please email them to [camille.galeno@esd.wa.gov](mailto:camille.galeno@esd.wa.gov).

### Public Comment



- If you would like to make public comment, please state your name and spell it so we can capture it correctly for the minutes, as well as the organization you represent if any.
- **Reminder:** Your comments are being recorded.
- If you would like your comments to be included in the meeting minutes, please submit them in writing via email to Camille Galeno at [camille.galeno@esd.wa.gov](mailto:camille.galeno@esd.wa.gov). *(Camille's email will be posted in the chat)*
- Please limit your comments to **two minutes**.

No comment was made

## Adjourned

JR thanked everyone for joining and adjourned the meeting.

## Action Items

- JR Richards will follow up with an email to the committee with a direct link to the Trust Fund report, along with a snapshot of our proposed 2026 schedule so committee members can take a look and provide feedback.

## Next meeting

December 10, 2025, from 10:00 a.m. to 12:00 p.m. via Zoom.



## Addendum I



### Agenda

#### Unemployment Insurance Advisory Committee (UIAC)

Wednesday, Oct. 22, 2025 | 1:00 pm- 3:00 pm | Via Zoom | 212 Maple Park Ave SE, Olympia, WA 98501

Time	Topic
1:00 pm	Welcome from JR Richards, Director, Insurance Services Division, Employment Security Department (ESD) o Agenda overview
1:05 pm	Approval of Sept. 17, 2025, meeting minutes – JR Richards
1:10 pm	Proposed 2026 Meeting Schedule – JR Richards
1:20 pm	SB 5041 Striking Workers – Marypat Meuli
1:30 pm	Relief of Benefit Charging - Stephanie Frazee
1:35 pm	Rule-making update - Stephanie Frazee
1:45 pm	September Trust Report – Eve Sheng
2:00 pm	Federal shutdown – JR Richards
2:15 pm	OPMA Training in December – JR Richards
2:25 pm	Public Comment
2:40 pm	Adjourn

For more information, please visit the UIAC website at <https://esd.wa.gov/newsroom/UIAC>

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## Addendum II



### Unemployment Insurance Advisory Committee

#### January 2025 – December 2025 Meeting Dates

Date	Location	Host	Notes
January 29, 2025 10:00 AM – 11:00 AM	Zoom	ESD	Recorded meeting
February 19, 2025, 2:00 PM – 3:00 PM	Zoom	ESD	Recorded meeting
March 19, 2025, 10:00 AM – 11:00 AM	Zoom	ESD	Recorded meeting
April 30, 2025, 2:00 PM – 3:00 PM	Zoom	ESD	Recorded meeting
June 25, 2025, 10:00 AM – 12:00 PM	Zoom	ESD	Recorded meeting
August 20, 2025, 1:00 PM – 3:00 PM	Zoom	ESD	Recorded meeting
September 17, 2025, 10:00 AM – 12:00 PM	Zoom	ESD	Recorded meeting
October 22, 2025, 1:00 PM – 3:00 PM	Zoom	ESD	Recorded meeting
December 10, 2025, 10:00 AM – 12:00 PM	Zoom	ESD	Recorded meeting

NOTE: Hosts may have the opportunity to present to the committee and bring invited guests as part of our meeting agenda.

Per vote of UI Advisory Committee members, meetings are being recorded as of 08/03/2020 meeting.

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