



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: August 20, 2025

TIME: 8:08 AM

WSR 25-17-088

Agency: Employment Security Department

Subject of possible rule making: The Department is engaged in rulemaking to support implementation of Engrossed Substitute Senate Bill 5525 (ESSB 5525) Mass Layoffs and Business Closings (2025). ESSB 5525 outlines that, absent specific exceptions, an employer of 50 or more full-time employees may not order a business closing or mass layoff until 60 days after the employer provides written notice to the Employment Security Department and to the affected employees, or, if the employees are represented, to the employees' bargaining representative.

According to ESSB 5525, a business closing is a permanent or temporary shutdown of a single site of employment of one or more facilities that will result in employment loss for 50 or more full-time employees. A mass layoff is a reduction in employment force and results in an employment loss during any 30-day period of 50 or more full-time employees.

Statutes authorizing the agency to adopt rules on this subject: RCW 50.12.010, RCW 50.12.040, RCW 50.32.070, RCW 50.32.080, RCW 50.13.020, ESSB 5525.

Reasons why rules on this subject may be needed and what they might accomplish: This rulemaking is necessary for the Department to implement ESSB 5525. The rulemaking may address topics such as the content of the notice, how the Department will process the information in the notice, or the documentation required to establish application of the exceptions to the notice requirements.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The U.S. Department of Labor 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 rules will be shared with USDOL prior to adoption.

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study

☒ Other (describe) Draft rules will be shared with the public and stakeholders. The Department will solicit input from all parties 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:

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(If necessary)

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Other:

Additional comments:

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