



EXPEDITED RULE MAKING

CR-105 (June 2024) (Implements RCW 34.05.353)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 05, 2025

TIME: 1:51 PM

WSR 25-19-026

Agency: Employment Security Department

Title of rule and other identifying information: WAC 192-01-001 Rule Governance Statement

Purpose of the proposal and its anticipated effects, including any changes in existing rules: WAC 192-01-001 sets forth the Employment Security Department's rule governance statement. The rule explains what chapters in Title 192 WAC apply to which programs administered by the Department. Under Engrossed Substitute Senate Bill (ESSB) 5525, the Department is authorized to adopt rules to administer a new chapter under Title 49 RCW. Currently, WAC 192-01-001 states that the Department administers programs under Titles 50, 50A, and portions of 50B RCW. ESSB 5525 created a new chapter in Title 49 RCW and provided authority to the Department to adopt rules for the administration of that chapter. Therefore, WAC 192-01-001 should be amended to include Title 49 RCW in the list of titles for which the Department creates rules and administers programs. The rule should also be amended to provide the location of the new rules in the Department's WACs.

Reasons supporting proposal: The goal of the rulemaking is to add Title 49 RCW to the list of RCW titles that the Department creates rules and administers programs for. The rulemaking will also provide the location of those rules in Title 192 WAC.

Statutory authority for adoption: ESSB 5525 — An Act relating to protecting workers facing employment loss due to business closing or mass layoffs; adding a new chapter to Title 49 RCW; and prescribing penalties; RCW 50.12.010; RCW 50.12.040.

Statute being implemented: ESSB 5525 — An Act relating to protecting workers facing employment loss due to business closing or mass layoffs; adding a new chapter to Title 49 RCW; and prescribing penalties.

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

Name of proponent: Employment Security Department

☐ 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

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: N/A

Expedited Adoption - Which of the following criteria was used by the agency to file this notice:

- ☐ Relates only to internal governmental operations that are not subject to violation by a person;
- ☒ Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- ☐ Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- ☐ Content is explicitly and specifically dictated by statute;
- ☐ Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- ☐ Is being amended after a review under RCW 34.05.328.

Expedited Repeal - Which of the following criteria was used by the agency to file notice:

- ☐ The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- ☐ The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- ☐ The rule is no longer necessary because of changed circumstances; or
- ☐ Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4): This rulemaking incorporates, without material change, a reference to the Department's new rulemaking and program administration authority under Title 49 RCW as set forth in ESSB 5525.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: Stephanie Frazee

Agency: Employment Security Department

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

Phone: 425-465-0313

Fax: 844-652-7096

Email: esdgpuirules@esd.wa.gov

Other:

BEGINNING September 5, 2025 **AND RECEIVED** November 18, 2025

Date: September 5, 2025

Name: Joy Adams

Title: Employment System Policy & Integrity

Signature:

