

WAC 296-15-255 Hearings for corrective action or withdrawal of certification. (1) This section applies only to proceedings to withdraw certification or for corrective action instituted by the director in response to a petition filed with the department pursuant to RCW 51.14.090. This section shall not apply to actions instituted by the director to withdraw certification pursuant to RCW 51.14.080 nor to corrective action instituted by the director pursuant to RCW 51.14.095.

(2) When there is a petition for such action by any employee or union or association having a substantial number of employees in the employ of the self-insured, the director or the director's designee may, in the director's or designee's sole discretion, hold a hearing to determine whether or not there are grounds for action. In reviewing such a petition, the director or the designee may require additional information from a petitioner before deciding whether to hold a hearing under this section.

(3) Any such hearing shall be conducted in accordance with the department's rules governing administrative hearings. The director will notify all parties at least twenty days prior to the date of the hearing. The notice shall include the following:

- (a) Nature of proceedings;
- (b) Legal authority for holding the hearing;
- (c) Reference to the section of statutes and rules involved;
- (d) A description of matters asserted;
- (e) The date, time, and place of the hearing.

All parties will be allowed to respond and present evidence and arguments on the issues involved.

Within thirty days of the hearing date, the department will provide written notification of the proceedings, findings, and conclusions to all hearing participants.

(4) If, following the hearing, the decision is to withdraw certification or take corrective action, such action shall comply with the provisions of RCW 51.14.090 and/or 51.14.095.

[Statutory Authority: RCW 51.32.190 and 51.14.090. WSR 96-21-145, § 296-15-255, filed 10/23/96, effective 11/25/96. Statutory Authority: RCW 51.04.020. WSR 86-18-037 (Order 86-35), § 296-15-255, filed 8/28/86.]