

**WAC 358-30-070 Recommended decisions of hearings examiners—Exceptions.** (1) A hearings examiner shall serve his/her recommended decision, including findings of fact, conclusions of law, and order, upon the personnel appeals board and upon each party and representative as soon as possible after conclusion of the hearing. Service to the employing agency or institution of higher education and to the employee or the employee's designated representative shall be made by certified mail, a return receipt requested.

(2) Within thirty days after service of the recommended decision, any party adversely affected thereby may take exception to the personnel appeals board by filing a written notice of exceptions at the principal office of the personnel appeals board. The notice shall set forth specific exceptions to the recommended decision including each finding of fact and conclusion of law to which exception is taken and any additional errors the parties contend were made by the hearings examiner. If a party contends a finding of fact is incorrect, or that the examiner has made any other error which requires a review of the record, the party shall identify in the notice or within thirty days of filing the notice the specific portion or portions of the record which it contends supports each claimed error.

(3) If no exceptions are filed, the recommended decision shall become final within forty days after service thereof, unless the personnel appeals board notifies each party within that forty-day period that a hearing will be scheduled to consider the recommended decision.

[Statutory Authority: RCW 41.64.060 and 34.05.220 [(1)](a). WSR 95-07-074, § 358-30-070, filed 3/15/95, effective 4/15/95. Statutory Authority: Chapter 41.64 RCW. WSR 82-01-053 (Order 81-4), § 358-30-070, filed 12/16/81.]