

WAC 434-263-080 Alternative dispute resolution. (1) If a final determination is not rendered within ninety days after the filing of the complaint, or within such additional time to which the complainant may consent, then the complaint shall be transferred to a board of arbitration, which must resolve the complaint within sixty additional days, which may not be extended. The board of arbitration shall be composed of three members, designated by the secretary, at least two of whom must be county auditors or election managers. No two members of the panel may be employed by the same office, agency or other employer.

(2) The arbitrators shall review the record compiled in proceedings prior to the transfer, including the tape or transcript of any hearing, but may not conduct any further hearing or receive any additional testimony, evidence, or other submissions. The arbitrators shall determine the appropriate resolution of the complaint by majority vote. No further administrative review is available, but the arbitrator's final determination shall include notice that judicial review may be available.

[Statutory Authority: RCW 29A.04.611. WSR 08-05-120, § 434-263-080, filed 2/19/08, effective 3/21/08. Statutory Authority: RCW 29A.04.610. WSR 04-16-037, § 434-263-080, filed 7/27/04, effective 8/27/04.]