

**WAC 296-115-110 Appeal of decisions.** (1) An aggrieved person may request an evidentiary hearing with the assistant director or their designee regarding denial of a certificate of inspection or license, or a determination of the maximum passengers, crew, or total capacity of a charter boat.

Such a request must be made prior to filing any other appeal from such a decision.

(a) A request made under this subsection must be submitted in one of the following ways:

(i) By mail to:

DOSH Appeals  
P.O. Box 44604  
Olympia, WA 98504-4604

(ii) By fax transmission to: 360-902-5581

(iii) Electronically to: DOSHappeals@lni.wa.gov; or

(iv) Take to any department service location.

(b) Any request made under this subsection must be received by the department within 15 working days from the receipt of the decision.

(c) A hearing held under this subsection will include a recorded conference during which the aggrieved party can explain their position and provide any additional information they would like the department to consider.

(d) The hearing will be held at the department's headquarters office or at another location designated by the assistant director and presided over by an authorized representative of the assistant director.

(e) Following the evidentiary hearing the department will issue a final decision in writing within 75 working days from the date the request was filed.

(f) A final department decision issued under this section may be appealed to the board of industrial insurance appeals within 15 working days following communication of the decision, following the process in RCW 49.17.140. The decision of the board may be appealed following the process in RCW 49.17.150.

(g) The decision being appealed will remain in effect until the applicant presents proof to the department that the specified requirements are met, or until the appeal is otherwise resolved.

(2) Other than department decisions under subsection (1) of this section, an aggrieved person may appeal department decisions under this chapter following the appeal process in chapter 49.17 RCW. The decision being appealed will remain in effect until the aggrieved person presents proof to the department that the specified requirements are met, or, until the appeal is otherwise resolved.

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060, 88.04.005(3), and 88.04.330. WSR 23-09-054, § 296-115-110, filed 4/18/23, effective 5/22/23. Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060, 49.17.210, and 88.04.005. WSR 08-20-123, § 296-115-110, filed 10/1/08, effective 11/1/08.]