

## Chapter 390-37 WAC

## ENFORCEMENT PROCEDURES--INVESTIGATIVE HEARINGS

## WAC

390-37-063	Enforcement procedures--Demand for information--Subpoenas.
390-37-300	Repealed.
390-37-305	Repealed.
390-37-310	Repealed.
390-37-312	Repealed.
390-37-315	Repealed.
390-37-320	Repealed.

## DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

390-37-300	Late filings--Civil penalties. [Statutory Authority: RCW 42.17.370(1). 82-02-007 (Order 81-04), § 390-37-300, filed 12/28/81; Order 84, § 390-37-300, filed 8/18/76.] Repealed by 82-14-016 (Order 82-04), filed 6/28/82. Statutory Authority: RCW 42.17.370(1).
390-37-305	Late filings--Administrator review. [Statutory Authority: RCW 42.17.370(1). 82-02-007 (Order 81-04), § 390-37-305, filed 12/28/81; Order 84, § 390-37-305, filed 8/18/76 and 8/20/76.] Repealed by 82-14-016 (Order 82-04), filed 6/28/82. Statutory Authority: RCW 42.17.370(1).
390-37-310	Late filings--Waiver of penalty. [Order 84, § 390-37-310, filed 8/18/76] Repealed by 82-02-007 (Order 81-04), filed 12/28/81. Statutory Authority: RCW 42.17.370(1).
390-37-312	Late filings--Criteria for waiver; procedures for disposition. [Statutory Authority: RCW 42.17.370(1). 82-02-007 (Order 81-04), § 390-37-312, filed 12/28/81.] Repealed by 82-14-016 (Order 82-04), filed 6/28/82. Statutory Authority: RCW 42.17.370(1).
390-37-315	Late filings--Petition for waiver--Disposition by commission. [Order 84, § 390-37-315, filed 8/18/76] Repealed by 82-02-007 (Order 81-04), filed 12/28/81. Statutory Authority: RCW 42.17.370(1).
390-37-320	Late filings--Waiver petition--Judicial review and enforcement. [Statutory Authority: RCW 42.17.370(1). 82-02-007 (Order 81-04), § 390-37-320, filed 12/28/81; Order 84, § 390-37-320, filed 8/18/76.] Repealed by 82-14-016 (Order 82-04), filed 6/28/82. Statutory Authority: RCW 42.17.370(1).

**WAC 390-37-063 Enforcement procedures--Demand for information--Subpoenas.** (1) During the course of an audit or an investigation, the administrator may issue a "demand for information" directed to any person who probably possesses information which is relevant and material to the audit or the investigation. The "demand for information" shall

(a) specifically describe the information which is sought, and

(b) set forth a reasonable time and place for the production of the information, and

(c) notify the person that if the information is not produced, the administrator will present a request to the commission, at its next regular or special meeting, to issue a subpoena for the information pursuant to RCW 42.17.370(5).

[1982 WAC Supp--page 2290]

The "demand for information" may be personally delivered or sent by certified mail, return receipt requested.

(2) The commission may issue a subpoena under RCW 42.17.370(5) to compel persons to appear and give testimony and may require the production of any books, papers, correspondence, memorandums or other documents which the commission deems relevant and material.

(3) Whenever the commission will consider the issuance of a subpoena, the administrator will place the matter on the published agenda for that meeting and, in addition, give the respondent, if any, and the person to whom the subpoena would be directed, at least five days written notice of the time and place where the meeting will be held. [Statutory Authority: RCW 42.17.370(1). 82-02-007 (Order 81-04), § 390-37-063, filed 12/28/81.]

**WAC 390-37-300 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 390-37-305 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 390-37-310 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 390-37-312 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 390-37-315 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 390-37-320 Repealed.** See Disposition Table at beginning of this chapter.

## Title 391 WAC

## PUBLIC EMPLOYMENT RELATIONS COMMISSION

## Chapters

391-08	Rules of practice and procedure--Public employment relations commission.
391-21	Collective bargaining rules--Public employment.
391-25	Representation case rules.
391-30	Collective bargaining rules--Educational employment.
391-45	Unfair labor practice case rules.
391-50	Collective bargaining rules--Community colleges.
391-55	Impasse resolution rules.
391-70	Collective bargaining rules--Marine employees.
391-95	Union security dispute rules.

## Chapter 391-08 WAC

RULES OF PRACTICE AND PROCEDURE--  
PUBLIC EMPLOYMENT RELATIONS  
COMMISSION

## WAC

391-08-230 Summary judgment.

**WAC 391-08-230 Summary judgment.** A summary judgment may be issued if the pleadings and admissions on file, together with affidavits, if any, show that there is no genuine issue as to any material fact and that one of the parties is entitled to a judgment as a matter of law. Motions for summary judgment made in advance of a hearing shall be filed with the agency and served on all other parties to the proceeding. [Statutory Authority: RCW 28B.52.080, 41.56.040, 41.58.050, 41.59.110, and 47.64.040. 81-02-034 (Order 81-01), § 391-08-230, filed 1/6/81.]

## Chapter 391-21 WAC

COLLECTIVE BARGAINING RULES--PUBLIC  
EMPLOYMENT

## WAC

391-21-001 through 391-21-900 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS  
CHAPTER

## Chapter 391-21

## COLLECTIVE BARGAINING RULES--PUBLIC EMPLOYMENT

391-21-001 Scope—Contents—Other rules. [Order 77-8, § 391-21-001, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-003 Application to port districts. [Statutory Authority: RCW 41.58.050 and 53.18.030. 79-03-015 (Order 79-1), § 391-21-003, filed 2/16/79.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-100 Petition for investigation of a question concerning representation of employees—Who may file. [Order 77-8, § 391-21-100, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-102 Petition form—Number of copies—Filing—Service. [Order 77-8, § 391-21-102, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-104 Contents of petition. [Order 77-8, § 391-21-104, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-105 Contents of petition filed by employer. [Order 77-8, § 391-21-105, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-106 Supporting evidence. [Order 77-8, § 391-21-106, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-107 List of employees. [Order 77-8, § 391-21-107, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-108 Amendment and withdrawal. [Order 77-8, § 391-21-108, filed 12/29/77, effective 2/1/78.] Repealed by

81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-110 Intervention—By incumbent representative. [Order 77-8, § 391-21-110, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-112 Intervention—By organization other than incumbent. [Order 77-8, § 391-21-112, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-113 Showing of interest confidential. [Order 77-8, § 391-21-113, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-114 Consent elections. [Order 77-8, § 391-21-114, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-115 Consent cross-checks. [Order 77-8, § 391-21-115, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-116 Notice of hearing. [Order 77-8, § 391-21-116, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-118 Hearings—Who shall conduct. [Order 77-8, § 391-21-118, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-120 Authority of hearing officer. [Order 77-8, § 391-21-120, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-122 Hearings—Nature and scope. [Order 77-8, § 391-21-122, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-124 Proceedings before the executive director. [Order 77-8, § 391-21-124, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-125 Cross-check of records. [Order 77-8, § 391-21-125, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-126 Notice of election. [Order 77-8, § 391-21-126, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-128 Election procedures—Disclaimers—Balloting. [Order 77-8, § 391-21-128, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-130 Challenged ballots. [Order 77-8, § 391-21-130, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-132 Tally of ballots. [Order 77-8, § 391-21-132, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-134 Procedure following inconclusive election. [Order 77-8, § 391-21-134, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-136 Filing and service of objections. [Order 77-8, § 391-21-136, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

391-21-137 Filing and service of cross-objections. [Statutory Authority: RCW 41.56.090 and 41.58.500 [41.58.050]. 78-07-014 (Order 78-3), § 391-21-137, filed 6/15/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

- 391-21-138 Procedure where no objections are filed. [Order 77-8, § 391-21-138, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-140 Procedure where objections are filed. [Order 77-8, § 391-21-140, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-142 Commission action. [Order 77-8, § 391-21-142, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-300 Petition for clarification of an existing bargaining unit—Who may file. [Order 77-8, § 391-21-300, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-302 Petition form—Number of copies—Filing—Service. [Order 77-8, § 391-21-302, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-304 Contents of petition. [Order 77-8, § 391-21-304, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-306 Amendment and withdrawal. [Order 77-8, § 391-21-306, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-308 Notice of hearing. [Order 77-8, § 391-21-308, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-310 Consolidation of proceedings. [Order 77-8, § 391-21-310, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-312 Hearings—Who shall conduct. [Order 77-8, § 391-21-312, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-314 Authority of hearing officer. [Order 77-8, § 391-21-314, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-316 Hearings—Nature and scope. [Order 77-8, § 391-21-316, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-318 Proceedings before the executive director. [Order 77-8, § 391-21-318, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-320 Proceedings before the commission—Petition for review. [Order 77-8, § 391-21-320, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-321 Filing and service of cross-petition for review. [Statutory Authority: RCW 41.56.090 and 41.58.500 [41.58.050]. 78-07-014 (Order 78-3), § 391-21-321, filed 6/15/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-322 Commission action. [Order 77-8, § 391-21-322, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-500 Complaint charging unfair labor practices—Who may file. [Order 77-8, § 391-21-500, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-502 Form of charges—Number of copies—Filing—Service. [Order 77-8, § 391-21-502, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-504 Contents of complaint charging unfair labor practices. [Order 77-8, § 391-21-504, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-506 Amendment. [Order 77-8, § 391-21-506, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-508 Withdrawal. [Order 77-8, § 391-21-508, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-510 Initial processing by executive director. [Order 77-8, § 391-21-510, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-512 Examiner—Who may act. [Order 77-8, § 391-21-512, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-514 Authority of examiner. [Order 77-8, § 391-21-514, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-516 Notice of hearing. [Order 77-8, § 391-21-516, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-518 Answer—Filing and service. [Order 77-8, § 391-21-518, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-520 Answer—Contents and effect of failure to answer. [Order 77-8, § 391-21-520, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-522 Amendment of answer. [Order 77-8, § 391-21-522, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-524 Motion to make complaint more definite and certain. [Order 77-8, § 391-21-524, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-526 Hearings—Nature and scope. [Order 77-8, § 391-21-526, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-528 Briefs and proposed findings. [Order 77-8, § 391-21-528, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-530 Examiner decision. [Order 77-8, § 391-21-530, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-532 Withdrawal or modification of examiner decision. [Order 77-8, § 391-21-532, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-534 Petition for review of examiner decision. [Order 77-8, § 391-21-534, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-535 Filing and service of cross-petition for review. [Statutory Authority: RCW 41.56.090 and 41.58.500 [41.58.050]. 78-07-014 (Order 78-3), § 391-21-535, filed 6/15/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-536 Commission action. [Order 77-8, § 391-21-536, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

- 391-21-550 Collective bargaining—Policy. [Order 77-8, § 391-21-550, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-556 Unfair labor practice remedies. [Order 77-8, § 391-21-556, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-700 Resolution of impasses—Request for mediation. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-700, filed 3/28/80; Order 77-8, § 391-21-700, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-702 Impasse resolution—Determination whether assistance is needed. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-702, filed 3/28/80; Order 77-8, § 391-21-702, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-706 Impasse resolution—Function of mediator. [Order 77-8, § 391-21-706, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-708 Impasse resolution—Confidential nature of function. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-708, filed 3/28/80; Order 77-8, § 391-21-708, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-712 Impasse resolution—Dispute resolution panel. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-712, filed 3/28/80; Order 77-8, § 391-21-712, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-716 Impasse resolution—Disclosure. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-716, filed 3/28/80; Order 77-8, § 391-21-716, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-718 Impasse resolution—Vacancies. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-718, filed 3/28/80; Order 77-8, § 391-21-718, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-719 Uniformed personnel—Interest arbitration. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-719, filed 3/28/80.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-720 Uniformed personnel—Appointment of partisan arbitrators. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-720, filed 3/28/80; Order 77-8, § 391-21-720, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-721 Uniformed personnel—Selection of impartial arbitrator. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-721, filed 3/28/80.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-722 Uniformed personnel—List of issues for arbitration. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-722, filed 3/28/80; Order 77-8, § 391-21-722, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-723 Uniformed personnel—Hearing. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-723, filed 3/28/80.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-724 Uniformed personnel—Order of proceedings and evidence. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-724, filed 3/28/80; Order 77-8, § 391-21-724, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-726 Uniformed personnel—Proceedings in the absence of a party. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-726, filed 3/28/80; Order 77-8, § 391-21-726, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-728 Uniformed personnel—Closing of the hearings. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-728, filed 3/28/80; Order 77-8, § 391-21-728, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-733 Uniformed personnel—Conduct of interest arbitration proceedings. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-733, filed 3/28/80.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-734 Uniformed personnel—Interpretation and application of rules. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-734, filed 3/28/80; Order 77-8, § 391-21-734, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-735 Uniformed personnel—Interest arbitration award. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-735, filed 3/28/80.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-737 Uniformed personnel—Expenses of arbitration. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-737, filed 3/28/80.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-738 Uniformed personnel—Central filing of agreements. [Statutory Authority: RCW 41.56.090 and 41.58.050. 80-04-073 (Order 80-2), § 391-21-738, filed 3/28/80; Order 77-8, § 391-21-738, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-800 Grievance arbitration—Who may file. [Order 77-8, § 391-21-800, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-802 Grievance arbitration—Filing—Service. [Order 77-8, § 391-21-802, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-804 Grievance arbitration—Contents of request. [Order 77-8, § 391-21-804, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-806 Grievance arbitration—Appointment of staff arbitrator. [Order 77-8, § 391-21-806, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

- 391-21-808 Grievance arbitration—Submission of arbitration panel. [Order 77-8, § 391-21-808, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-810 Grievance arbitration—Conduct of proceedings. [Order 77-8, § 391-21-810, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-812 Grievance arbitration—Award. [Order 77-8, § 391-21-812, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-814 Grievance arbitration—Expenses. [Order 77-8, § 391-21-814, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-21-900 Union security provisions. [Order 77-8, § 391-21-900, filed 12/29/77, effective 2/1/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

**WAC 391-21-001 through 391-21-900 Repealed.**  
See Disposition Table at beginning of this chapter.

### Chapter 391-25 WAC REPRESENTATION CASE RULES

- WAC  
391-25-110 Supporting evidence.  
391-25-190 Intervention—By organization other than incumbent.

**WAC 391-25-110 Supporting evidence.** The original petition shall be accompanied by a showing of interest indicating that the petitioner has the support of not less than thirty percent of the employees in the bargaining unit which the petitioner claims to be appropriate. The showing of interest must be timely filed under the same standards applicable to the petition, and must consist of individual authorization cards or letters signed and dated by employees in the bargaining unit claimed appropriate during the ninety day period preceding the filing of such evidence with the agency. [Statutory Authority: RCW 28B.52.080, 41.56.040, 41.58.050, 41.59.110, and 47.64.040. 81-02-034 (Order 81-01), § 391-25-110, filed 1/6/81.]

**WAC 391-25-190 Intervention—By organization other than incumbent.** An organization not covered by WAC 391-25-170 may, by motion, intervene in proceedings under this chapter and, upon granting of its motion for intervention, shall be entitled to participate in the proceedings and have its name listed as a choice on the ballot in any election. The motion for intervention shall be supported by a showing of interest indicating that the intervenor has the support of not less than ten percent of the employees in the bargaining unit which the petitioner claims to be appropriate or of not less than thirty percent of the employees in whatever different bargaining unit the intervenor claims to be appropriate. The showing of interest must consist of individual authorization cards or letters signed and dated by employees in the bargaining unit claimed appropriate during the ninety-day period preceding the filing of such evidence with the agency. The showing of interest shall be

made confidentially to the agency at or before the time the motion for intervention is made: *Provided, however,* That a motion for intervention may be granted conditionally subject to the subsequent furnishing of a showing of interest under such conditions as the agency may impose to avoid undue delay of the proceedings. No motion for intervention shall be considered if made after the close of the hearing on the petition or more than seven days after the filing and posting of an election agreement or cross-check agreement. [Statutory Authority: RCW 28B.52.080, 41.56.040, 41.58.050, 41.59.110, and 47.64.040. 81-02-034 (Order 81-01), § 391-25-190, filed 1/6/81.]

### Chapter 391-30 WAC COLLECTIVE BARGAINING RULES— EDUCATIONAL EMPLOYMENT

- WAC  
391-30-001 through 391-30-900 Repealed.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

#### Chapter 391-30 COLLECTIVE BARGAINING RULES—EDUCATIONAL EMPLOYMENT

- 391-30-001 Scope—Contents—Other rules. [Order 77-6, § 391-30-001, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-100 Petition for investigation of a question concerning representation of employees—Who may file. [Order 77-6, § 391-30-100, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-102 Petition form—Number of copies—Filing—Service. [Order 77-6, § 391-30-102, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-104 Contents of petition. [Order 77-6, § 391-30-104, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-106 Supporting evidence. [Order 77-6, § 391-30-106, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-108 Amendment and withdrawal. [Order 77-6, § 391-30-108, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-110 Intervention—By incumbent representative. [Order 77-6, § 391-30-110, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-112 Intervention—By organization other than incumbent. [Order 77-6, § 391-30-112, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-113 Showing of interest confidential. [Order 77-6, § 391-30-113, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-114 Consent elections. [Order 77-6, § 391-30-114, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-116 Notice of hearing. [Order 77-6, § 391-30-116, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-118 Hearings—Who shall conduct. [Order 77-6, § 391-30-118, filed 11/9/77.] Repealed by 81-15-022

- (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-120 Authority of hearing officer. [Order 77-6, § 391-30-120, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-122 Hearings—Nature and scope. [Order 77-6, § 391-30-122, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-124 Proceedings before the executive director. [Order 77-6, § 391-30-124, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-126 Notice of election. [Order 77-6, § 391-30-126, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-128 Election procedures—Disclaimers—Balloting. [Order 77-6, § 391-30-128, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-130 Challenged ballots. [Order 77-6, § 391-30-130, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-132 Tally of ballots. [Order 77-6, § 391-30-132, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-134 Procedure following inconclusive election. [Order 77-6, § 391-30-134, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-136 Filing and service of objections to election. [Order 77-6, § 391-30-136, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-137 Filing and service of cross-objections. [Statutory Authority: RCW 41.58.050 and 41.59.110. 78-07-013 (Order 78-4), § 391-30-137, filed 6/15/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-138 Procedure where no objections are filed. [Order 77-6, § 391-30-138, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-140 Procedure where objections to election are filed. [Order 77-6, § 391-30-140, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-142 Commission action. [Order 77-6, § 391-30-142, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-300 Petition for clarification of an existing bargaining unit—Who may file. [Order 77-6, § 391-30-300, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-302 Petition form—Number of copies—Filing—Service. [Order 77-6, § 391-30-302, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-304 Contents of petition. [Order 77-6, § 391-30-304, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-306 Amendment and withdrawal. [Order 77-6, § 391-30-306, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-308 Notice of hearing. [Order 77-6, § 391-30-308, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-310 Consolidation of proceedings. [Order 77-6, § 391-30-310, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-312 Hearings—Who shall conduct. [Order 77-6, § 391-30-312, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-314 Authority of hearing officer. [Order 77-6, § 391-30-314, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-316 Hearings—Nature and scope. [Order 77-6, § 391-30-316, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-318 Proceedings before the executive director. [Order 77-6, § 391-30-318, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-320 Proceedings before the commission—Petition for review. [Order 77-6, § 391-30-320, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-321 Filing and service of cross-petition for review. [Statutory Authority: RCW 41.58.050 and 41.59.110. 78-07-013 (Order 78-4), § 391-30-321, filed 6/15/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-322 Commission action. [Order 77-6, § 391-30-322, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-500 Complaint charging unfair labor practices—Who may file. [Order 77-6, § 391-30-500, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-502 Complaint form—Number of copies—Filing—Service. [Order 77-6, § 391-30-502, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-504 Contents of complaint charging unfair labor practices. [Order 77-6, § 391-30-504, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-506 Amendment. [Order 77-6, § 391-30-506, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-508 Withdrawal. [Order 77-6, § 391-30-508, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-510 Initial processing by executive director. [Order 77-6, § 391-30-510, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-512 Examiner—Who may act. [Order 77-6, § 391-30-512, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-514 Authority of examiner. [Order 77-6, § 391-30-514, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-516 Notice of hearing. [Order 77-6, § 391-30-516, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-518 Answer—Filing and service. [Order 77-6, § 391-30-518, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-520 Answer—Contents and effect of failure to answer. [Order 77-6, § 391-30-520, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-522 Amendment of answer. [Order 77-6, § 391-30-522, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-524 Motion to make complaint more definite and certain. [Order 77-6, § 391-30-524, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-526 Hearings—Nature and scope. [Order 77-6, § 391-30-526, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.

- (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-528 Briefs and proposed findings. [Order 77-6, § 391-30-528, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-530 Examiner decision. [Order 77-6, § 391-30-530, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-532 Withdrawal or modification of examiner decision. [Order 77-6, § 391-30-532, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-534 Petition for review of examiner decision. [Order 77-6, § 391-30-534, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-535 Filing and service of cross-petition for review. [Statutory Authority: RCW 41.58.050 and 41.59.110. 78-07-013 (Order 78-4), § 391-30-535, filed 6/15/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-536 Commission action. [Order 77-6, § 391-30-536, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-550 Collective bargaining—Policy. [Order 77-6, § 391-30-550, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-552 Collective bargaining procedure. [Order 77-6, § 391-30-552, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-554 Determination of disputes as to scope of bargaining. [Order 77-6, § 391-30-554, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-556 Unfair labor practice remedies. [Order 77-6, § 391-30-556, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-560 Motion for temporary relief. [Order 77-6, § 391-30-560, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-700 Resolution of impasses—Request for mediation. [Order 77-6, § 391-30-700, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-702 Impasse resolution—Determination whether assistance is needed. [Order 77-6, § 391-30-702, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-704 Impasse resolution—Submission of written proposals. [Order 77-6, § 391-30-704, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-706 Impasse resolution—Function of mediator. [Order 77-6, § 391-30-706, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-708 Impasse resolution—Confidential nature of function. [Order 77-6, § 391-30-708, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-710 Impasse resolution—Fact finding. [Order 77-6, § 391-30-710, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-712 Impasse resolution—Fact finding panel. [Order 77-6, § 391-30-712, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-714 Impasse resolution—Selection of fact finder. [Order 77-6, § 391-30-714, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-716 Impasse resolution—Disclosure by fact finder. [Order 77-6, § 391-30-716, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-718 Impasse resolution—Vacancies as fact finder. [Order 77-6, § 391-30-718, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-720 Impasse resolution—List of issues for fact finding. [Order 77-6, § 391-30-720, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-722 Impasse resolution—Fact finding hearing. [Order 77-6, § 391-30-722, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-724 Impasse resolution—Order of fact finding proceedings and evidence. [Order 77-6, § 391-30-724, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-726 Impasse resolution—Fact finding in the absence of a party. [Order 77-6, § 391-30-726, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-728 Impasse resolution—Closing of fact finding hearings. [Order 77-6, § 391-30-728, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-730 Impasse resolution—Findings of fact and recommendations. [Order 77-6, § 391-30-730, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-732 Impasse resolution—Expenses of fact finding. [Order 77-6, § 391-30-732, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-734 Impasse resolution—Interpretation and application of fact finding rules. [Order 77-6, § 391-30-734, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-736 Impasse resolution—Parties' responsibility after fact finding. [Order 77-6, § 391-30-736, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-738 Impasse resolution—Central filing of agreements. [Order 77-6, § 391-30-738, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.
- 391-30-900 Union security provisions. [Order 77-6, § 391-30-900, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: 41.58.050.

**WAC 391-30-001 through 391-30-900 Repealed.**  
See Disposition Table at beginning of this chapter.

### Chapter 391-45 WAC

#### UNFAIR LABOR PRACTICE CASE RULES

##### WAC

391-45-552 Special provision—Educational employees.

**WAC 391-45-552 Special provision—Educational employees.** The obligation to bargain in good faith imposed upon an employer and the exclusive representative of its employees, respectively, by RCW 41.59.020(2) and 41.59.140 (1)(e) or (2)(c) includes:

(1) The obligation to submit, as to each subject for bargaining advanced by the party, a written statement of



the language proposed for incorporation in or deletion from the collective bargaining agreement between the parties, together with a written or oral explanation or justification of such proposals.

(2) The obligation to submit, as to each subject for bargaining advanced by the other party, at least one written response thereto, together with a written or oral explanation of such response: *Provided, however*, That a party which asserts in a written response that a subject for bargaining advanced by the other party is not a mandatory subject for collective bargaining may thereafter refuse to make further proposals as to such subject or subjects for bargaining.

(3) The obligation to receive proposals from the other party as to all subjects for bargaining in dispute between the parties and, until a legal impasse has been reached, to refrain from demanding the removal of any such subject from the bargaining table on the basis that it is not a mandatory subject for collective bargaining.

(4) The obligation to exhaust the mediation and fact finding procedure established pursuant to RCW 41.59-.120 before implementing all or any part of a final offer in negotiations, except as provided in RCW 41.59.930. [Statutory Authority: RCW 28B.52.080, 41.56.040, 41-.58.050, 41.59.110, and 47.64.040. 81-02-034 (Order 81-01), § 391-45-552, filed 1/6/81.]

**Chapter 391-50 WAC**  
**COLLECTIVE BARGAINING RULES—**  
**COMMUNITY COLLEGES**

**WAC**

391-50-001 through 391-50-734 Repealed.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

**Chapter 391-50**  
**COLLECTIVE BARGAINING RULES—COMMUNITY COLLEGES**

391-50-001	Scope—Contents—Other rules. [Order 77-6, § 391-50-001, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.	81-02); filed 7/10/81. Statutory Authority: RCW 41.58.050.
391-50-100	Petition for investigation of question concerning representation of employees—Who may file—Timeliness. [Order 77-6, § 391-50-100, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.	Intervention—By incumbent representative. [Order 77-6, § 391-50-110, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
391-50-102	Petition form—Number of copies—Filing—Service. [Order 77-6, § 391-50-102, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.	Intervention—By organization other than incumbent. [Order 77-6, § 391-50-112, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
391-50-104	Contents of petition. [Order 77-6, § 391-50-104, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.	Showing of interest confidential. [Order 77-6, § 391-50-113, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
391-50-105	Contents of petition filed by employer. [Order 77-6, § 391-50-105, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.	Consent elections. [Order 77-6, § 391-50-114, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
391-50-106	Supporting evidence. [Order 77-6, § 391-50-106, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.	Notice of hearing. [Order 77-6, § 391-50-116, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
391-50-108	Amendment and withdrawal. [Order 77-6, § 391-50-108, filed 11/9/77.] Repealed by 81-15-022 (Order	Hearings—Who shall conduct. [Order 77-6, § 391-50-118, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
		Authority of hearing officer. [Order 77-6, § 391-50-120, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
		Hearings—Nature and scope. [Order 77-6, § 391-50-122, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
		Proceedings before the executive director. [Order 77-6, § 391-50-124, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
		Notice of election. [Order 77-6, § 391-50-126, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
		Election procedures—Disclaimers—Balloting. [Order 77-6, § 391-50-128, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
		Challenged ballots. [Order 77-6, § 391-50-130, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
		Tally of ballots. [Order 77-6, § 391-50-132, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
		Procedure following inconclusive election. [Order 77-6, § 391-50-134, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
		Filing and service of objections to election. [Order 77-6, § 391-50-136, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
		Filing and service of cross-objections. [Statutory Authority: RCW 28B.52.080 and 41.58.050. 78-07-012 (Order 78-5), § 391-50-137, filed 6/15/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
		Procedure where no objections are filed. [Order 77-6, § 391-50-138, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
		Procedure where objections to election are filed. [Order 77-6, § 391-50-140, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
		Commission action. [Order 77-6, § 391-50-142, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
		Petition for clarification of an existing bargaining unit—Who may file. [Order 77-6, § 391-50-300, filed 11/9/77.] Repealed by 81-15-022 (Order 81-



- 02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-302 Petition form—Number of copies—Filing—Service. [Order 77-6, § 391-50-302, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-304 Contents of petition. [Order 77-6, § 391-50-304, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-306 Amendment and withdrawal. [Order 77-6, § 391-50-306, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-308 Notice of hearing. [Order 77-6, § 391-50-308, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-310 Consolidation of proceedings. [Order 77-6, § 391-50-310, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-312 Hearings—Who shall conduct. [Order 77-6, § 391-50-312, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-314 Authority of hearing officer. [Order 77-6, § 391-50-314, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-316 Hearings—Nature and scope. [Order 77-6, § 391-50-316, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-318 Proceedings before the executive director. [Order 77-6, § 391-50-318, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-320 Proceedings before the commission—Petition for review. [Order 77-6, § 391-50-320, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-321 Filing and service of cross-petition for review. [Statutory Authority: RCW 28B.52.080 and 41.58.050. 78-07-012 (Order 78-5), § 391-50-321, filed 6/15/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-322 Commission action. [Order 77-6, § 391-50-322, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-700 Resolution of impasses—Request for mediation. [Order 77-6, § 391-50-700, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-702 Impasse resolution—Determination whether assistance is needed. [Order 77-6, § 391-50-702, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-706 Impasse resolution—Function of mediator. [Order 77-6, § 391-50-706, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-708 Impasse resolution—Confidential nature of function. [Order 77-6, § 391-50-708, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-710 Impasse resolution—Fact finding. [Order 77-6, § 391-50-710, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-712 Impasse resolution—Factfinding panel. [Order 77-6, § 391-50-712, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-714 Impasse resolution—Selection of fact finder. [Order 77-6, § 391-50-714, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-716 Impasse resolution—Disclosure by fact finder. [Order 77-6, § 391-50-716, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-718 Impasse resolution—Vacancies as fact finder. [Order 77-6, § 391-50-718, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-720 Impasse resolution—List of issues for fact finding. [Order 77-6, § 391-50-720, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-722 Impasse resolution—Fact finding hearing. [Order 77-6, § 391-50-722, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-724 Impasse resolution—Order of fact finding proceedings and evidence. [Order 77-6, § 391-50-724, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-728 Impasse resolution—Closing of fact finding hearings. [Order 77-6, § 391-50-728, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-730 Impasse resolution—Findings of fact and recommendations. [Order 77-6, § 391-50-730, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-732 Impasse resolution—Expenses of fact findings. [Order 77-6, § 391-50-732, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-50-734 Impasse resolution—Interpretation and application of fact finding rules. [Order 77-6, § 391-50-734, filed 11/9/77.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

**WAC 391-50-001 through 391-50-734 Repealed.**  
See Disposition Table at beginning of this chapter.

### Chapter 391-55 WAC

#### IMPASSE RESOLUTION RULES

##### WAC

- 391-55-335 Educational employees—Fact-finding in the absence of a party.
- 391-55-345 Educational employees—Findings of fact and recommendations.

**WAC 391-55-335 Educational employees—Fact-finding in the absence of a party.** The fact finder may proceed in the absence of any party who, after due notice, fails to be present or fails to obtain an adjournment. Fact finders shall treat any subject on which one party has taken a position that it is not a mandatory subject for bargaining in accordance with this rule. Findings of fact and recommendations shall not be made solely on the default of a party, and the fact finder shall require the participating party to submit such evidence as may be required for making of the findings of fact and recommendations. [Statutory Authority: RCW 28B.52.080, 41.56.040, 41.58.050, 41.59.110, and 47.64.040. 81-02-034 (Order 81-01), § 391-55-335, filed 1/6/81.]

**WAC 391-55-345 Educational employees—Findings of fact and recommendations.** The findings of fact and recommendations of the fact finder shall not be subject to review by the commission. Fact finders shall rule only on the reasonability of the proposals advanced in the context of the whole of the negotiations between the parties and shall not rule on whether or not a subject or proposal in dispute is a mandatory subject for collective bargaining. [Statutory Authority: RCW 28B.52.080, 41.56.040, 41.58.050, 41.59.110, and 47.64.040. 81-02-034 (Order 81-01), § 391-55-345, filed 1/6/81.]

**Chapter 391-70 WAC**

**COLLECTIVE BARGAINING RULES—MARINE EMPLOYEES**

WAC

391-70-001 through 391-70-300 Repealed.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

**Chapter 391-70**

**COLLECTIVE BARGAINING RULES—MARINE EMPLOYEES**

- 391-70-010 Scope—Contents—Other rules. [Statutory Authority: RCW 41.58.050 and 47.64.040. 79-01-016 (Order 78-8), § 391-70-010, filed 12/14/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-70-020 Special rules. [Statutory Authority: RCW 41.58.050 and 47.64.040. 79-01-016 (Order 78-8), § 391-70-020, filed 12/14/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-70-030 Modifications and exceptions. [Statutory Authority: RCW 41.58.050 and 47.64.040. 79-01-016 (Order 78-8), § 391-70-030, filed 12/14/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-70-040 Address for communications. [Statutory Authority: RCW 41.58.050 and 47.64.040. 79-01-016 (Order 78-8), § 391-70-040, filed 12/14/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-70-050 Office hours. [Statutory Authority: RCW 41.58.050 and 47.64.040. 79-01-016 (Order 78-8), § 391-70-050, filed 12/14/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-70-070 Definitions. [Statutory Authority: RCW 41.58.050 and 47.64.040. 79-01-016 (Order 78-8), § 391-70-070, filed 12/14/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-70-080 Informal procedure. [Statutory Authority: RCW 41.58.050 and 47.64.040. 79-01-016 (Order 78-8), § 391-70-080, filed 12/14/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-70-090 Formal procedure. [Statutory Authority: RCW 41.58.050 and 47.64.040. 79-01-016 (Order 78-8), § 391-70-090, filed 12/14/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-70-105 Formal notices—Number of copies—Filing—Service. [Statutory Authority: RCW 41.58.050 and 47.64.040. 79-01-016 (Order 78-8), § 391-70-105, filed 12/14/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

- 391-70-110 Intervention. [Statutory Authority: RCW 41.58.050 and 47.64.040. 79-01-016 (Order 78-8), § 391-70-110, filed 12/14/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-70-120 Appearances. [Statutory Authority: RCW 41.58.050 and 47.64.040. 79-01-016 (Order 78-8), § 391-70-120, filed 12/14/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-70-140 Voluntary settlement. [Statutory Authority: RCW 41.58.050 and 47.64.040. 79-01-016 (Order 78-8), § 391-70-140, filed 12/14/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-70-170 Hearings. [Statutory Authority: RCW 41.58.050 and 47.64.040. 79-01-016 (Order 78-8), § 391-70-170, filed 12/14/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-70-220 Order of procedure. [Statutory Authority: RCW 41.58.050 and 47.64.040. 79-01-016 (Order 78-8), § 391-70-220, filed 12/14/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-70-245 Inspection of conditions. [Statutory Authority: RCW 41.58.050 and 47.64.040. 79-01-016 (Order 78-8), § 391-70-245, filed 12/14/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-70-260 Briefs. [Statutory Authority: RCW 41.58.050 and 47.64.040. 79-01-016 (Order 78-8), § 391-70-260, filed 12/14/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.
- 391-70-300 Compliance with orders—Notification to commission. [Statutory Authority: RCW 41.58.050 and 47.64.040. 79-01-016 (Order 78-8), § 391-70-300, filed 12/14/78.] Repealed by 81-15-022 (Order 81-02), filed 7/10/81. Statutory Authority: RCW 41.58.050.

**WAC 391-70-010 through 391-70-300 Repealed.**  
See Disposition Table at beginning of this chapter.

**Chapter 391-95 WAC**

**UNION SECURITY DISPUTE RULES**

WAC

- 391-95-130 Union security—Escrow of disputed funds by employer.
- 391-95-310 Implementation.

**WAC 391-95-130 Union security—Escrow of disputed funds by employer.** Upon being served with a copy of a petition filed under WAC 391-95-070, the employer shall preserve the status quo by withholding and retaining the disputed dues for periods during the pendency of the proceedings before the commission. Said funds shall draw interest at the rate provided by commercial banks for regular passbook savings accounts. While the proceedings remain pending before the commission, the employer shall not honor or otherwise act upon any request for discharge or other action against the affected employee based on the employee's union security obligations. This provision shall be applicable to employees covered by chapter 41.56 RCW only upon the employee submitting to the employer a signed authorization for the deduction. [Statutory Authority: RCW

28B.52.080, 41.56.040, 41.58.050, 41.59.110, and 47.64.040. 81-02-034 (Order 81-01), § 391-95-130, filed 1/6/81.]

**WAC 391-95-310 Implementation.** Where alternative payments in lieu of payments under a union security agreement have been agreed upon by the parties or ordered by the commission, the employer shall release any funds (together with accumulated interest) held in escrow under WAC 391-95-130 to the designated charitable organization and the employee shall thereafter make payments and shall furnish written proof to the exclusive bargaining representative that such payments have been made to the designated charitable organization. Where the employee is found ineligible to make alternative payments, the employer shall release any funds (together with accumulated interest) held in escrow to the exclusive bargaining representative and shall enforce the union security provision according to its terms. The employer and the exclusive bargaining representative shall allow the affected employee a grace period of not less than thirty days following the agreement or final order of the commission to correct any arrearages. [Statutory Authority: RCW 28B.52.080, 41.56.040, 41.58.050, 41.59.110, and 47.64.040. 81-02-034 (Order 81-01), § 391-95-310, filed 1/6/81.]

### Title 392 WAC

## PUBLIC INSTRUCTION, SUPERINTENDENT OF

#### Chapters

- 392-105 Superintendent of public instruction--Access to public records.
- 392-109 State board of education--Election of members.
- 392-121 Finance--General apportionment.
- 392-123 Finance--School district budgeting.
- 392-125 Finance--Educational service district budgeting.
- 392-129 Finance--Emergency school closure.
- 392-131 Finance--Apportionment during strike.
- 392-135 Finance--Interdistrict cooperation programs.
- 392-136 Finance--Conversion of accumulated sick leave.
- 392-137 Finance--Nonresident attendance.
- 392-139 Finance--Maintenance and operation levy limits.
- 392-140 Finance--Special allocations, instructions, and requirements.
- 392-141 Transportation--Authority and state reimbursement.
- 392-143 Transportation--Specifications for school buses.
- 392-160 Transitional bilingual instruction program.
- 392-161 Grants management--Urban, rural, racial, disadvantaged education programs.

- 392-163 Grants management--Elementary and Secondary Education Act--Title I program, regular.
- 392-168 Grants management--Elementary and Secondary Education Act--Title IV.
- 392-171 Education for all handicapped children.

### Chapter 392-105 WAC

## SUPERINTENDENT OF PUBLIC INSTRUCTION-- ACCESS TO PUBLIC RECORDS

#### WAC

392-105-003 Description of organization.

**WAC 392-105-003 Description of organization.** (1) The superintendent of public instruction is a constitutional officer of the state charged with supervision over all matters pertaining to public schools. The superintendent of public instruction is also the statutory chief executive officer of the state board of education. Administrative offices of the superintendent of public instruction and the state board of education are located in Olympia, Washington.

(2) Organization of the superintendent of public instruction's office is divided into four operating divisions, the office of the deputy superintendent of public instruction, and the office of the secretary (executive director) to the state board of education.

(a) The office of the secretary (executive director) to the state board of education keeps the records for all board proceedings. The secretary to the state board of education is appointed by the state board of education.

(b) The office of the deputy superintendent of public instruction directs and coordinates the activities of the four operating divisions of the agency and several agency-wide support services sections. The deputy superintendent of public instruction is appointed by and reports directly to the superintendent of public instruction.

(c) The division of financial services is managed by an assistant superintendent. This person is appointed by the superintendent of public instruction and reports to the deputy superintendent. The division administers state apportionment and school building assistance to the school districts, maintains agency accounts, jointly with the state auditor develops accounting manuals for school districts and educational service districts, budget forms for school districts and educational services districts (ESDs) and administers the school systems statewide financial reporting and accounting systems, provides technical assistance to school districts for accounting and budgetary systems, and administers the school lunch, pupil transportation, and federal accounts programs.

(d) The instructional programs and services division is managed by an assistant superintendent. This person is appointed by the superintendent of public instruction and reports to the deputy superintendent. The division provides a wide range of technical assistance services to school districts in the development of basic education programs, learning resources and multicultural/equity.