

WAC 292-100-060 Notice of hearing—Filing of answer. (1) Following the board's determination on reasonable cause, the board will provide the complainant, the respondent and the employing agency with a copy of the written determination on reasonable cause and investigative report.

(2) The respondent has 30 days from the time the determination on reasonable cause is served to file an answer to the determination on reasonable cause and request an adjudicative proceeding and/or settlement. If the penalty is over \$500, the respondent may request an administrative law judge at the hearing. The administrative judge's role is limited to ruling on procedural and evidentiary matters.

(3) Failure to file an answer and request an adjudicative hearing and/or settlement within 30 days of service constitutes a default, and the board may proceed to resolve the case without further notice to, or hearing for the benefit of, the respondent.

(4) Within 10 days after service of a default order under subsection (3) of this section, the respondent may file a written motion requesting that the default order be vacated and stating the grounds relied upon. During the time within which a party may file a written motion under this subsection, the board chair or a designated board member may adjourn further proceedings or conduct them without the participation of the respondent.

(5) If a hearing is requested by the respondent, the respondent will be notified of the date of the hearing no later than seven days before the hearing date.

[Statutory Authority: RCW 42.52.360. WSR 21-24-094, § 292-100-060, filed 12/1/21, effective 1/1/22. Statutory Authority: RCW 42.52.360 (2)(b) and 42.52.425. WSR 01-13-033, § 292-100-060, filed 6/13/01, effective 7/14/01. Statutory Authority: RCW 42.52.360 (2)(b). WSR 99-06-073, § 292-100-060, filed 3/2/99, effective 4/2/99. Statutory Authority: Chapter 42.52 RCW and RCW 42.52.360 (2)(b). WSR 96-22-028, § 292-100-060, filed 10/30/96, effective 11/30/96.]