

WAC 162-08-081 Amendment of complaint prior to notice of hearing. (1) **Scope of section.** This section governs amendments of complaints prior to the time of amendment for the purpose of hearing. Amendment of a complaint for the purpose of hearing is governed by WAC 162-08-201. Amendments after notice of hearing are governed by WAC 162-08-265.

(2) **General rule.** A complaint, or any part thereof, may be fairly and reasonably amended as a matter of right at any time.

(3) **By whom.** The complaint may be amended by any of the following: The complainant, the commissioners, or the executive director or any member of the commission's staff who is authorized by the executive director to amend complaints.

(4) **Form.** Amendment of a complaint may be done by rewriting and superseding the entire text of the complaint or by filing a supplemental paper containing only the amendment.

(5) **Not necessary for finding.** The investigation pursuant to RCW 49.60.240 will cover the factual allegations and unfair practices charged in the complaint, and a reasonable cause finding will apply to all persons affected by the unfair practice(s) that is (are) found. The complainant may or may not be one of those persons. No amendment of the complaint is necessary for such a finding.

(6) **Identification of respondents.** No amendment of a complaint is necessary to make corrections in the identification of respondents in the findings of fact, if the respondents newly designated have notice of the complaint, or are given notice of the complaint, or reasonably should have known of the complaint. The findings of fact may correct the names or identification of respondents by substituting correct names, by adding persons as respondents, or by deleting persons as respondents.

(7) **Findings supersede complaint.** The findings supersede the complaint in identifying the unfair practices and persons before the commission in the case, and continue to do so until and unless an amended complaint for purposes of hearing is filed under WAC 162-08-201.

[Statutory Authority: RCW 49.60.120(3). WSR 89-23-020, § 162-08-081, filed 11/7/89, effective 12/8/89; Order 35, § 162-08-081, filed 9/2/77; Order 7, § 162-08-081, filed 1/19/68.]