

RCW 41.58.110 Hearing dates—Refusal to comply with subpoena.

(1) The commission or presiding officer may:

(a) Set a hearing date without consent from the involved parties so long as the involved parties may submit motions to move the hearing date; and

(b) Draw an adverse inference from the refusal of a party to comply with subpoenas issued by the commission or presiding officer, subject to subsection (2) of this section.

(2) If a union invokes privilege under RCW 5.60.060(11) and 49.36.040 when refusing to comply with a subpoena request, the commission or presiding officer may not draw an adverse inference from the union's refusal to comply. When a union invokes such privilege, the commission or presiding officer must conduct an in camera review to determine if the records are privileged. [2025 c 387 s 2.]