

WAC 296-05-107 Decisions against training agents for violating ratio, supervision and/or approved work process requirements. The supervisor may investigate whether a training agent is in compliance with RCW 39.04.350 (1)(e) and/or 39.12.055(3).

(1) The supervisor shall notify the training agent and the program sponsor that an investigation has commenced.

(2) When the investigation is complete, the supervisor shall prepare a report identifying the results. If the results indicate that the training agent has violated RCW 39.04.350 (1)(e) and 39.12.055(3), the supervisor will notify the training agent and program sponsor in writing, and provide a copy of the report to the WSATC.

(a) Following an investigation, the supervisor may require a training agent to submit and implement a voluntary corrective action plan to the department.

(b) If the training agent does not follow the voluntary corrective action plan or if a second investigation within one year of the initial inspection reveals the training agent is not operating as required by the program standards, the supervisor shall refer the matter to the WSATC for a hearing.

(3) The WSATC will conduct a hearing and issue a determination whether the training agent has violated RCW 39.04.350 (1)(e) and 39.12.055(3).

(4) A determination by the WSATC that a training agent has violated RCW 39.04.350 (1)(e) and 39.12.055(3) shall be stated in writing, along with the reasons supporting it, and shall be served upon the training agent, program sponsor, and supervisor as provided by RCW 34.05.010(19). Judicial review of the WSATC's written decision under this section shall be as provided in chapter 34.05 RCW.

(5) The supervisor shall place WSATC determinations under this section on file for public review. The supervisor shall maintain a list of all training agents who, as a result of a determination, are out of compliance pursuant to RCW 39.04.350 (1)(e) and 39.12.055(3) and are ineligible to bid on a public works contract, or to have a bid accepted. The supervisor shall make the list available to the public upon request.

[Statutory Authority: RCW 49.04.010 and 19.285.040. WSR 18-17-149, § 296-05-107, filed 8/21/18, effective 10/10/18. Statutory Authority: Chapter 49.04 RCW, 2011 c 308, and 2011 c 21. WSR 13-03-127, § 296-05-107, filed 1/22/13, effective 3/1/13. Statutory Authority: RCW 49.04.010, 2001 c 204, and chapter 49.04 RCW. WSR 01-22-055, § 296-05-107, filed 10/31/01, effective 1/17/02.]