



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES

PO Box 44000 • Olympia Washington 98504-4400

November 19, 2024

Via E-mail and U.S. Mail

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Mesa, WA 99343

**RE: Marc W. Watson dba Diversified AG
OAH Docket No. 08-2024-LI-02232
Director No. 2024-015-WPA _____**

Dear Parties:

Please find the enclosed Director's Order, which is served on the date of mailing. A copy of the Appellant's appeal is enclosed.

Sincerely,

Joel Sacks
Director

Enclosures

cc: Haley Bobbitt, Tacoma OAH
Anastasia Sandstrom, AAG



**DIRECTOR OF THE DEPARTMENT OF LABOR & INDUSTRIES
STATE OF WASHINGTON**

In re:

MARC W. WATSON dba DIVERSIFIED
AG,

Appellant,

Appeal of Citation and Notice of
Assessment No. W-323-24, W-324-24,
W-325-24, W-326-24, W-327-24 &
W-328-24

OAH Docket No. 08-2024-LI-02232

No. 2024-015-WPA _____

DIRECTOR'S ORDER

RCW 49.48.084(4); RCW 34.05

Joel Sacks, Director of the Washington State Department of Labor & Industries, having considered the appeal filed by Marc W. Watson and Diversified AG (Appellant), issues this Director's Order.

The Director makes the following Findings of Fact, Conclusions of Law, and Order.

I. FINDINGS OF FACT

1. The Office of Administrative Hearings issued and served the Order Dismissing Appeal-Default on October 16, 2024.
2. The Director received a timely filed petition for review from the Appellant.
3. The Appellant claims it was unable to contact Office of Administrative Hearings for the telephone conference. *See Attached appeal.*

NO. 2024-015-WPA _____

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DIRECTOR'S ORDER

RCW 49.48.084(4); RCW 34.05

OFFICE OF THE DIRECTOR
DEPARTMENT OF LABOR & INDUSTRIES
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OLYMPIA, WA 98504-4001

II. CONCLUSIONS OF LAW

1. Based on the Appellant's timely filed petition for review, there is authority to review and decide this matter under RCW 49.48.084 and RCW 34.05.
2. The Director is unable to determine if there was good cause to miss the telephone conference based on the record before it.
3. This matter is remanded to Office of Administrative Hearings to conduct further proceedings to determine if there was good cause and issue an appealable order.

III. ORDER

This matter is remanded to Office of Administrative Hearings.

DATED at Tumwater this 19 day of November, 2024



JOEL SACKS
Director

SERVICE

This Order was served on you the day it was deposited in the United States mail. RCW 34.05.010(19).

APPEAL RIGHTS

Reconsideration. Any party may file a petition for reconsideration. RCW 34.05.470. Any petition for reconsideration must be filed within 10 days of service of this Order and must state the specific grounds on which relief is requested. No matter will be reconsidered unless it clearly appears from the petition for reconsideration that (a) there is material clerical error in the order **or** (b) there is specific material error of fact or law. A petition for reconsideration, together with any argument in support thereof, should be filed by emailing it to directorappeal@lni.wa.gov or by mailing or delivering it directly to Joel Sacks, Director of the Department of Labor and Industries, P. O. Box 44001 Olympia, Washington 98504-4001, with a copy to all other parties of record and their representatives. Filing means actual receipt of the document at the Director's Office. RCW 34.05.010(6).

NOTE: A petition for reconsideration is not required before seeking judicial review. If a petition for reconsideration is filed, however, the 30-day period will begin to run upon the resolution of that petition. A timely filed petition for reconsideration is deemed to be denied if, within twenty (20) days from the date the petition is filed, the Director does not (a) dispose of the petition **or** (b) serve the parties with a written notice specifying the date by which it will act on the petition. RCW 34.05.470(3).

DECLARATION OF MAILING

I, Lisa Deck, hereby declare under penalty of perjury under the laws of the State of Washington, that the **DIRECTOR'S ORDER** was mailed on the 19 day of November 2024, to the following via regular, postage prepaid:

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DATED this 19 day of November, 2024, at Tumwater, Washington.



LISA DECK

NO. 2024-015-WPA _____

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DIRECTOR'S ORDER

RCW 49.48.084(4); RCW 34.05

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