



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES

P.O. Box 44000 • Olympia, Washington 98504-4000

April 30, 2025

Via E-mail and U.S. Mail

Christopher Cummings
225 SW Mountain View St, Unit #A
Pullman, WA 99163
chris.cummings.palouse@gmail.com

College Fresh, Inc.
c/o Ann Drollinger
701 Devonshire Dr, C23
Champaign, IL 61820

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In Re: Christopher Cummings
OAH Docket No. 07-2024-LI-02211
Director Office No. 2025-010-WPA

Dear Parties:

Please find the enclosed Director's Order, which is served on the date of mailing. A copy of the Initial Order is enclosed for your convenience.

Sincerely,

Joel Sacks
Director

Enclosure

cc: Judge Dan Gerard
Haley Bobbitt, Tacoma OAH
Anastasia Sandstrom, AAG

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

In re:

CHRISTOPHER CUMMINGS

Appellant,

Appeal of Determination of Compliance
No. DOC-133-24

OAH Docket No. 07-2024-LI-02211

No. 2025-010-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 Christopher Cummings (Appellant), briefing submitted to the Director's Office, and having reviewed the record, issues this Director's Order.

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

I. FINDINGS OF FACT

1. The Office of Administrative Hearings issued and served the Initial Order on February 3, 2025.
2. The Director received a timely filed petition for administrative review from the Appellant.
3. The Director adopts and incorporates all Findings of Facts from the Initial Order.

NO. 2025-010-WPA

DIRECTOR'S ORDER

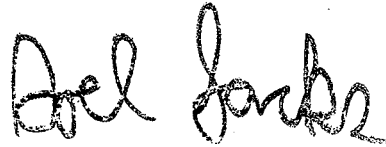
RCW 49.48.084(4); RCW 34.05

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 49.46 and RCW 34.05.
2. The Director adopts and incorporates all Conclusions of Law of the Initial Order.
3. In the Appellant's April 27, 2025 reply, he offers evidence not contained in the record. The Director can only consider evidence offered at the hearing before the Office of Administrative Hearings, and the Director cannot consider new evidence. RCW 34.05.464; *Towle v. Dep't of Fish & Wildlife*, 94 Wn. App. 196, 206, 971 P.2d 591 (1999). The new factual assertions are stricken.

III. DECISION AND ORDER

Consistent with the above Findings of Fact and Conclusion of Law, and the Determination of Compliance is **AFFIRMED** and the Initial Order of February 3, 2025, is incorporated by reference herein.



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).

Judicial Review. Any petition for judicial review must be filed with the appropriate court and served within 30 days after service of this Order. RCW 34.05.542. Proceedings for judicial review may be instituted by filing a petition in superior court according to the procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil Enforcement.

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 date listed below to the following via regular, postage prepaid:

Christopher Cummings
225 SW Mountain View St, Unit #A
Pullman, WA 99163
chris.cummings.palouse@gmail.com

College Fresh, Inc.
c/o Ann Drollinger
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NO. 2025-010-WPA

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DIRECTOR'S ORDER

RCW 49.48.084(4); RCW 34.05

OFFICE OF THE DIRECTOR
DEPARTMENT OF LABOR & INDUSTRIES
P.O. BOX 44001
OLYMPIA, WA 98504-4001

Champaign, IL 61820

DATED this 30 day of April, 2025, at Tumwater, Washington.



LISA DECK

NO. 2025-010-WPA

DIRECTOR'S ORDER

RCW 49.48.084(4); RCW 34.05

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OFFICE OF THE DIRECTOR
DEPARTMENT OF LABOR & INDUSTRIES
P.O. BOX 44001
OLYMPIA, WA 98504-4001

**WASHINGTON STATE
OFFICE OF ADMINISTRATIVE HEARINGS**

In the matter of:

Christopher Cummings,

Appellant/Wage Claimant.

Docket No. 07-2024-LI-02211

INITIAL ORDER

Agency: Labor and Industries

Program: Wage Payments

Agency No. DOC-133-24

1. ISSUES:

- 1.1. Whether Christopher Cummings can prove, by a preponderance of the evidence ('more likely than not' standard of proof) the Department of Labor and Industries' 'Determination of Compliance No. 133-24', is in error and should be set aside?

2. INITIAL ORDER SUMMARY:

- 2.1. The Appellant/Wage Claimant, Christopher Cummings, **failed to prove**, by a 'preponderance of the evidence' the Department of Labor and Industries' 'Determination of Compliance No. 133-24', was in **error**.
- 2.2. The Department of Labor and Industries' Determination of Compliance No. 133-24 is **affirmed**.

3. FACT-FINDING EVIDENTIARY HEARING:

- 3.1. Hearing Date: December 2, 2024
- 3.2. Administrative Law Judge: TJ Martin
- 3.3. Appellant: Christopher Cummings
- 3.3.1. Representative: The Appellant represented himself.
- 3.3.2. Witnesses: Christopher Cummings, Appellant/Wage Claimant
- 3.4. Agency: Department of Labor and Industries
- 3.4.1. Representative: Wendy Barcelona, Assistant Attorney General
- 3.4.2. Witnesses: Justina Reeves, Industrial Relations Agent
- 3.5. Exhibits: Department Exhibits 1 to 13 were admitted
The Appellant did not submit any exhibits
- 3.6. Court Reporter: Alison Sosa, Capitol Court Reporting
- 3.7. Observer: Christina Dallen, Assistant Attorney General

4. FINDINGS OF FACT:

The following facts were established by a 'preponderance of the evidence':

Jurisdiction-

4.1. On April 11, 2024, the Department of Labor and Industries (Department) issued 'Determination of Compliance No. 133-24' (DOC No. 133-24), finding College Fresh, Inc. (Employer/College Fresh) did not owe Christopher Cummings (Appellant/Wage Claimant/Cummings) \$685.00 in wages, from January 29, 2024 to February 1, 2024. *Department Exhibit (Dept. Ex.) 1.*

4.2. On April 29, 2024, Cummings appealed the Department's Determination of Compliance No. 133-24. *Dept. Ex. 2.*

Credibility Finding-

4.3. The Appellant and the Department conflicted on material points including: (1) The reason the Appellant/Wage Claimant took sick leave; and (2) Whether the Appellant/Wage Claimant Christopher Cummings' employer, College Fresh, knew and approved him for sick leave before he took such leave. Therefore, a credibility finding is needed.

4.4. In entering this finding, this administrative tribunal need not be persuaded 'beyond a reasonable doubt' as the true situation, nor must the evidence be deemed 'clear, cogent, and convincing'. Rather, it is only necessary to determine what most likely happened. *In re Murphy*, Em. Sec. Comm'r Dec. 2d 750 (1984).

4.5. After considering the parties' testimonies and reviewing the admitted exhibits, this administrative tribunal finds the Department's evidence more credible and logically persuasive than the Appellant's evidence for the following reasons:

First, Appellant Cummings contends his sick leave was due to his illness, stemming from being subjected to mold in the house he was working. However, he did not provide any evidence, such as a physician's note or other medical documentation, he was sick for such a reason. In addition, he made no mention of being sick due to mold until after he had filed his Worker Right Complaint with the Department, in February 2024. While the Department provided the text message exchange between the Appellant and his supervisor, from Saturday, January 27, 2024, establishing the Appellant wanted to take sick leave for the upcoming week, due to his girlfriend's suspension at the house she and the Appellant both worked. *Department Exhibit (Dept. Ex.) 9; Page (Pg.) 4.*

[Continued]

Second, Appellant Cummings contends his employer, namely, his supervisor, Ron Wullstein, knew and approved him for sick leave, before he took such leave from January 29, 2024 to February 1, 2024. However, the Appellant did not present any documented evidence of such notice and acknowledgment by his employer. Further, the Appellant did not call Ron Wullstein, his supervisor, as a witness, to collaborate his version of events. The Department credibly established the Appellant presented no evidence establishing he received approval from his employer before taking sick leave, on January 29, 2024 to February 1, 2024.

4.6. Based on this credibility finding, this administrative tribunal finds the following 'Findings of Fact' more than likely happened:

Appellant Cummings' Wage Complaint and Department Investigation-

- 4.7. College Fresh, Inc. is a food service contractor, located in Champaign, Illinois, which does business in the State of Washington. *Dept. Ex. 13.*
- 4.8. From December 8, 2021 to February 1, 2024, Cummings worked for College Fresh, in Pullman, Washington. *Dept. Ex. 9; pg. 2.*
- 4.9. On February 2, 2024, a job separation occurred, with College Fresh contending Cummings voluntarily quit by failing to appear for his work shifts, *Dept. 9; pg. 3 and Dept. Ex. 12; pg. 9-10.* While Cummings contends he was terminated. *Testimony of Cummings.*
- 4.10. On February 8, 2024, Cummings filed a Worker Rights Complaint with the Department, alleging his employer, College Fresh Inc., failed to pay him \$672.00 for 32 hours of sick leave, at \$21.00 per hour, from January 29, 2024 to February 1, 2024, and for firing him for taking such leave. *Testimony of Justina Reeves (Testimony of Reeves) and Dept. 5.*
- 4.11. On February 8, 2024, the Department sent an email to Cummings, acknowledging receipt of his Work Rights Complaint and outlined the Department's investigation process and timeline. *Dept. Ex. 6.*
- 4.12. From February 8, 2024, to March 18, 2024, Department Industrial Relations Agent Justina Reeves (Agent Reeves) investigated Cummings' Wage Complaint and kept notes of her investigation. *Testimony of Reeves and Dept. Ex. 4.*
- 4.13. On February 13, 2024, Department Industrial Relations Agent Reeves emailed Cummings' employer, College Fresh, notifying the employer of Cummings' wage complaint and requested to speak to the employer about the wage complaint. *Testimony of Reeves and Dept. Ex. 7.*

- 4.14. On the same day, Agent Reeves followed up the email with written correspondence to College Fresh, notifying the employer of Cummings' wage complaint with an attached copy of his wage complaint and requested an answer from the employer regarding his claim for wages. *Testimony of Reeves and Dept. Ex. 8.*
- 4.15. On February 22, 2024, Annie Dawson, Administration Vice President, on behalf of College Fresh, submitted the employer's answer to Cummings' claim for wages, along with texts messages between College Fresh and Cummings. *Testimony of Reeves and Dept. Ex. 9.*
- 4.16. Agent Reeves learned from the employer, through text messages between Cummings and College Fresh, on Saturday, January 27, 2024, was due to 'Lisa's suspension' and not getting sleep that night. *Testimony of Reeves and Dept. Ex. 9; pg. 4.*
- 4.17. In particular, on Saturday, January 27, 2024, Cummings sent a text message to his College Fresh supervisor, Ron Wullstein, stating:

Hi Ron, this is Chris. I had some questions. First, can I take tomorrow off? I want to make sure I understood our phone conversation. Is it my option to come into work? Can I take any sick leave this upcoming week? Lisa is taking this hard and I may not get good sleep these upcoming nights. Can I work at another house during Lisa's suspension? It's my take that the ladies at our current house are out to get her and I would feel more comfortable elsewhere. Thank you.

*Dept. Ex. 9; pg. 4
(Same as Dept. Ex. 11; pg. 6).*

- 4.18. 'Lisa' is Lisa Sully (Sully), Cumming's girlfriend and co-worker. *Testimony of Cummings.*
- 4.19. On January 30, 2024, College Fresh had terminated Sully after a suspension. *Testimony of Cummings.*
- 4.20. On March 4, 2024, Agent Reeves acknowledged receipt of College Fresh's answers to Cummings' claim for wages. *Testimony of Reeves and Dept. Ex. 10.*
- 4.21. On March 5, 2024, Agent Reeves sent written correspondence to Cummings of the receipt of the College Fresh's answer to his claim for wages. She requested Cummings provide any additional information by March 15, 2024, before the Department would make its decision. Agent Reeves included a copy of the employer's answer. *Testimony of Reeves and Dept Ex. 11.*

[Continued]

- 4.22. On March 11, 2024, the Department received a letter from Cummings outlining his illness from January 29, 2024 to February 1, 2024, including: A letter from Lisa J. Sully; Computer screen shots of his sick leave request denial, from January 29, 2024 to February 1, 2024; and text messages between he and his employer. *Testimony of Reeves and Dept. Ex. 12.*
- 4.23. Notably, Cumming, in a written statement, told the Department, '...I was ill on the days of January 29-February 1. I experienced the following on all of these days: headaches, dizziness, watery stools, nausea, and stomach discomfort...' *Dept. Ex. 12; pg. 1.*
- 4.24. Cummings had applied for sick leave each morning of each day. *Testimony of Reeves and Dept. Ex. 12; pg. 5.*
- 4.25. On March 11, 2024, the Department received Cummings' follow-up information, including screenshots of text messages. This was the first time the Department became aware of possible mold causing the Appellant's sickness. *Testimony of Reeves and Dept. Ex. 12.*
- 4.26. Agent Reeves determined, based on the text messages, 'Pointed to sick leave more likely than not, was for an 'unauthorized' purpose. Sick leave, due to mold, was 'kinda an afterthought' after his sick leave was denied. *Testimony of Reeves.*
- 4.27. No Department statute or regulation requires an employer to approve or deny sick leave on a certain timeframe or specific amount of days, as long as it occurs within the pay period. When the granting of sick leave occurs varies with each employer. *Testimony of Reeves.*
- 4.28. It is the responsibility of the employee to notify the employer of authorized sick leave. *Testimony of Reeves.*
- 4.29. Based on the evidence, via text messages, Agent Reeves determined Cummings took sick leave to stay home with his girlfriend, Lisa Sully, which his employer considered to be an 'unauthorized' use of sick leave. *Testimony of Reeves.*
- 4.30. The employee did not present a doctor's note to the employer. *Testimony of Reeves.*
- 4.31. Based on the evidence, it appeared Cummings didn't show up for his shifts as a 'voluntary quit' or termination, as job abandonment. It is up to the employer's regulations or policies. *Testimony of Reeves.*
- 4.32. Cumming's termination is not a regulation Agent Reeves regulated or reviewed as a part of her investigation. *Testimony of Reeves.*
- 4.33. The job separation had no bearing on the case, only whether sick leave had been authorized by the employer or not. *Testimony of Reeves.*

- 4.34. Agent Reeves determined Cummings requested sick leave was for 'unauthorized purposes', and was not used for his illness, and the employer properly denied such sick leave. *Testimony of Reeves.*
- 4.35. During the Department's investigation, Cummings never told Agent Reeves that someone with the employer authorized his sick leave. *Testimony of Reeves.*
- 4.36. Cummings 'believed' Lisa Sully had told Wullstein of mold issues. *Testimony of Cummings.*
- 4.37. There was mold in the walk-in refrigerator, but he had worked through it. *Testimony of Cummings.*
- 4.38. When Cummings took sick leave he thought it was 'understood' by his employer he was sick due to mold. *Testimony of Cummings.*
- 4.39. Cummings thought Ron Wullstein had some advanced knowledge Cummings hadn't been feeling well, before Cummings requested and took sick leave. *Testimony of Cummings.*
- 4.40. At the evidentiary hearing, Cummings did not call Ron Wullstein, College Fresh Northwest Regional Manager, to testify.
- 4.41. On March 18, 2024, Department Industrial Relations Agent Justina Reeves issued a 'Determination of Compliance Agent Summary', recommending the Department issue a determination of compliance since: '...[T]he employer provided sufficient evidence to prove the claimant is not owed for paid sick leave' he alleged'. *Dept. Ex. 3; pg. 3.*
- 4.42. On April 11, 2024, the Department issued 'Determination of Compliance No. 133-24', finding the Employer, College Fresh, Inc. did not owe the Appellant/Wage Claimant, Christopher Cummings \$685.00 in wages for work performed, from January 29, 2024 to February 1, 2024. *Dept. Ex. 1.*
- 4.43. On April 29, 2024, Cummings timely appealed the Department's Determination of Compliance. *Dept. Ex. 2.*

[Continued]

5. CONCLUSIONS OF LAW

Based upon the above 'Findings of Fact', the following 'Conclusions of Law' are made:

Jurisdiction-

5.1. The Office of Administrative Hearings has jurisdiction over the persons and subject matter based on RCW 49.48.084(3) and Chapter 34.05 RCW.

Burden and Standard of Proof Challenging a 'Determination of Compliance'-

5.2. In contesting a 'Determination of Compliance', the appealing party has the burden of proof, to establish by a 'preponderance of the evidence', a 'more likely than not' standard of proof, the Department's 'Determination of Compliance' is in error. *MacSuga v. County of Spokane*, 97 Wn. App. 435, 445-446, 983 P.2d 1167 (1999).

5.3. In the present case, the Appellant/Wage Claimant, Christopher Cummings, has the burden to prove, by a 'preponderance of the evidence', the Department's 'Determination of Compliance No. 133-24', dated February 1, 2024, is in error.

Department of Labor and Industries' Laws and Regulations-

5.4. The Department of Labor & Industries is responsible for implementing and enforcing Chapters 49.46, 49.48 and 49.52 RCW and Title 296 Washington Administrative Code (WAC), pertaining to wages, for the purpose of protecting the immediate and future health, safety, and welfare of the people of the State of Washington.

5.5. The Department's authority includes enforcing wage payments such as: (a) Payment of minimum wages (RCW 49.46.020 and Chapter 296-128 WAC), including for paid sick leave; (b) Payment of overtime wages in excess of more than 40 hours of work in a week (RCW 49.46.130); (c) Payment of final wages (RCW 49.48.010); and (d) Withholding of lawful deductions from wages (RCW 49.52.060); and (e) Enforcement of any wages as authorized by statute, ordinance, and/or contract (RCW 49.52.050).

5.6. If the employer pays an employee less than wages to which such employee is entitled, the employer shall be liable to such employee for the full amount of such wages. RCW 49.46.090(1).

5.7. If an employee files a wage complaint, the Department is required to investigate. RCW 49.48.083(1) and WAC 296-128-820.

5.8. In the present case, February 8, 2024, Christopher Cumming filed a 'Worker Rights Complaint' with the Department, alleging his former employer, College Fresh Inc., failed to pay him for four days of sick leave then terminated for taking such leave. As a result, the Department was required to investigate Garrison's wage complaint.

Appellant Cummings Failed to Establish Authorized Sick Leave Approval-

5.9. In the present case, the issue is whether the Appellant/Wage Claimant received approval from his employer for 'authorized' sick leave.

5.10. RCW 49.46.020 'Minimum hourly wage – Paid sick leave' provides, in relevant part:

(4) Beginning January 1, 2018, except as provided in RCW 49.46.180, every employer must provide to each of its employees paid sick leave as provided in RCW 49.46.200 and 49.46.210.

RCW 49.46.020.

5.11. Further RCW 49.46.200 'Paid sick leave' provides:

The demands of the workplace and of families need to be balanced to promote public health, family stability, and economic security. It is in the public interest to provide reasonable paid sick leave for employees to care for the health of themselves and their families. Such paid sick leave shall be provided at the greater of the newly increased minimum wage or the employee's regular and normal wage.

RCW 49.46.200.

5.12. Finally, RCW 49.46.210 'Paid Sick Leave—Authorized purposes—Limitations' establishes the reasons an employee may take sick leave, including, in relevant part:

- (i) An absence resulting from an employee's mental or physical illness, injury, or health condition; to accommodate the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive medical care;
- (ii) To allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical care; and
- (iii) When the employee's place of business has been closed by order of a public official for any health-related reason, or when an employee's child's school or place of care has been closed for such a reason.

RCW 49.46.210.

5.13. Further, WAC 296-128-600 to WAC 296-128-765 establishes the regulations relating to paid sick leave.

5.14. In the present case, the Appellant Cummings argues he should have been paid for four days of 'authorized' sick leave, from Monday, January 29, 2024, to Thursday, February 1, 2024, and should not have been terminated for taking such sick leave.

- 5.15. At the evidentiary hearing, the Department credibly established Cummings sent a text message to his supervisor, Ron Wullstein, on Saturday, January 27, 2024, inquiring if he could take sick leave for the upcoming week, due to his girlfriend's suspension from the same house the Appellant was working. Cummings also inquired if he could work at a different house since he would feel 'more comfortable elsewhere'. Then, on Monday, January 29, 2024 to Friday, February 2, 2024, the Appellant took sick leave. He was terminated on February 2, 2024.
- 5.16. On February 8, 2024, Cummings filed a Worker Rights Complaint. During the Department's investigation, the Appellant then alleged he had been sick the week of January 29, 2024 to February 2, 2024, due to his own illness, including suffering from a 'headache, dizziness, watery stools, nausea, and stomach discomfort'. He also submitted a note from his girlfriend and co-worker, Lisa Sully, supporting he had been sick that week. Cummings further alleged he had been sick due to mold in the house he was working, though he had not brought up the issue regarding mold prior to the Department's investigation, nor provided any documentation he had put the employer on notice regarding mold during his employment with College Fresh.
- 5.17. After conducting its investigation, the Department correctly determined Cummings had taken sick leave for the week of Monday, January 29, 2024 to Friday, February 2, 2024, due to not wanting to work at the same house, where his girlfriend, Lisa Sully, had been suspended. Such leave did not constitute 'authorized sick leave', based on RCW 49.46.020 and WAC 296-128.
- 5.18. Further, Cummings failed to present evidence, including documentation, establishing his employer, College Fresh, approved his sick leave, from Monday, January 29, 2024 to Thursday, February 1, 2024, before he took such sick leave.
- 5.19. Since the Department, during its investigation, did not have jurisdiction to investigate the reason for the job separation, whether its was a termination or voluntary quit, this administrative tribunal did not rule on the matter.
- 5.20. As a result, based on the evidence, the Appellant/Wage Claimant, Christopher Cummings, **failed to prove**, by a 'preponderance of the evidence' the Department of Labor and Industries' 'Determination of Compliance No. 133-24', was in **error**.
- 5.21. The Department of Labor and Industries' Determination of Compliance No. 133-24 is **affirmed**.

[Continued]

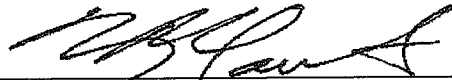
6. INITIAL ORDER:

THIS ADMINISTRATIVE TRIBUNAL ORDERS;

6.1. The Appellant/Wage Claimant, Christopher Cummings, **failed to prove**, by a 'preponderance of the evidence' the Department of Labor and Industries' 'Determination of Compliance No. 133-24', was in **error**.

6.2. The Department of Labor and Industries' Determination of Compliance No. 133-24 is **affirmed**.

Issued from Olympia, Washington on the date of mailing.



TJ Martin
Administrative Law Judge
Office of Administrative Hearings

CERTIFICATE OF SERVICE ATTACHED

APPEAL RIGHTS

PETITION FOR REVIEW

Any party that disputes this Initial Order may file a Petition for Review with the Director of the Department of Labor and Industries.¹ You may e-mail your Petition for Review to the Director at directorappeal@lni.wa.gov. You may also mail or deliver your Petition for Review to the Director at the Department's physical address listed below.

Mailing Address:

Director
Department of Labor and Industries
PO Box 44001
Olympia, WA 98504-4001

Physical Address:

7273 Linderson Way SW
Tumwater, WA 98501

If you e-mail your Petition for Review, please do not mail or deliver a paper copy to the Director.

Whether you e-mail, mail or deliver the Petition for Review, the Director *must actually receive* the Petition for Review during office hours at the Director's office **within 30 days** of the date this Initial Order was mailed to the parties. You must also provide a copy of your Petition for Review to the other parties at the same time.

If the Director does not receive a Petition for Review within 30 days from the date of the Initial Order, the Initial Order shall become final with no further right to appeal.²

If you timely file a Petition for Review, the Director will conduct an administrative review under chapter 34.05 RCW.

¹ RCW 49.48.084 and RCW 34.05.464.

² RCW 49.48.084 and Chapter 34.05 RCW.


CERTIFICATE OF SERVICE FOR OAH DOCKET NO. 07-2024-LI-02211

I certify that true copies of this document were served on those listed below, from Olympia, Washington via Consolidated Mail Services by one of the following: First Class Mail, Certified Mail, Hand Delivery via Messenger, Campus Mail, Facsimile, or by Email.

Christopher Cummings 225 S.W. Mountain View St. Unit #A Pullman, WA 99163 <i>Appellant Wage Claimant</i>	<input checked="" type="checkbox"/> First Class Mail <input checked="" type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Campus Mail <input type="checkbox"/> E-mail
Wendy Barcelona, AAG Office of the Attorney General 1250 Pacific Avenue, Suite 105 Tacoma, WA 98402 <i>Agency Representative</i>	<input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Campus Mail <input checked="" type="checkbox"/> E-mail Wendy.Barcelona@atg.wa.gov Mirella.Dado-Fox@atg.wa.gov LitacCal@atg.wa.gov
Christina Dallen, AAG Office of the Attorney General 800 Fifth Avenue, Suite 2000 Seattle, WA 98104 <i>Agency Representative</i>	<input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Campus Mail <input checked="" type="checkbox"/> E-mail Christina.Dallen@atg.wa.gov Lydia.Mccullough@atg.wa.gov Iniolyeservice@atg.wa.gov
College Fresh, Inc. c/o Ann Drollinger 701 Devonshire Dr, C23 Champaign, IL 61820 <i>Intervenor Employer</i>	<input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Campus Mail <input type="checkbox"/> E-mail

Date: Monday, February 03, 2025

OFFICE OF ADMINISTRATIVE HEARINGS



Tamara Roberson
Legal Assistant 2