



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES
PO Box 44000 • Olympia Washington 98504-4000

May 7, 2018

Cheryl Kilodavis
Erika Bliss
Qliance Management, Inc.
2200 Sixth Avenue, Suite 520
Seattle, WA 98121

Diana Cartwright
Office of the Attorney General
800 Fifth Avenue, Suite 2000
Seattle, WA 98104

RE: **Qliance Management, Inc.**
OAH No. 01-2018-LI-00653
Director No. 2018-009-WPA

Dear Parties:

Please find enclosed the Director's Order Remanding Appeal, which is served on the date of mailing.

Sincerely,

Joel Sacks
Director

Enclosures

cc: Judge Don Capp
Judge Lisa Dublin
Barb Cleveland, Olympia OAH
Anastasia Sandstrom, AAG
Wage Claimants listed in Attachment



DIRECTOR OF THE DEPARTMENT OF LABOR & INDUSTRIES
STATE OF WASHINGTON

In re: QLIANCE MANAGEMENT, INC.

Appellant,

Citation No. W-105-18 through W-112-18
and W-178-18 through W-185-18

OAH Docket No. 01-2018-LI-00653

2018-009-WPA

DIRECTOR'S ORDER
REMANDING APPEAL

RCW 49.48.084(4); RCW 34.05

Joel Sacks, Director of the Washington State Department of Labor & Industries, having considered the Order Dismissing Appeal served on February 8, 2018, having considered the petition for review filed by Qliance Management, Inc. (the Appellant) with the Director's Office and briefing submitted to the Director's Office, and having reviewed the record, issues this Director's Order.

The parties in this matter are the Department of Labor & Industries (Department) and the Appellant.

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

I. FINDINGS OF FACT

1. On January 18, 2018, the Office of Administrative Hearings sent notice of a pre-hearing conference scheduled for January 31, 2018, at 2:00 pm.

2018-009-WPA

1

DIRECTOR'S ORDER REMANDING
APPEAL

RCW 49.48.084(4); RCW 34.05

3. On January 31, 2018, the Appellant failed to appear.
4. The Office of Administrative Hearings issued and served the Order Dismissing Appeal on February 8, 2018.
5. On February 27, 2018, the Director received a timely filed petition for administrative review from the Appellant.
6. The Appellant missed the conference because it received the notice a day after the conference took place because of delays in mail forwarding.

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. RCW 34.05.440(2) provides: "If a party fails to attend or participate in a hearing or other stage of an adjudicative proceeding . . . , the presiding officer may serve upon all parties a default or other dispositive order, which shall include a statement of the grounds for the order."
3. Because Appellant has alleged circumstances that constitute good cause to miss the conference, the Order Dismissing Appeal is vacated and the case is remanded to Office of Administrative Hearings for hearing.

III. DECISION AND ORDER

Consistent with the above Findings of Fact and Conclusions of Law, the Order Dismissing Appeal is vacated and this case is remanded to Office of Administrative Hearings for hearing.

DATED at Tumwater this 7 day of May, 2018.



JOEL SACKS
Director

2018-009-WPA

2

DIRECTOR'S ORDER REMANDING
APPEAL

RCW 49.48.084(4); RCW 34.05

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. There is no judicial review because this order is interlocutory.

DECLARATION OF MAILING

I, Lisa Rodriguez, hereby declare under penalty of perjury under the laws of the State of Washington, that the DIRECTOR'S ORDER was mailed on the 7 day of May 2018, to the following via regular mail, postage prepaid.

Cheryl Kilodavis
Erika Bliss
Quliance Management, Inc.
2200 Sixth Avenue, Suite 520
Seattle, WA 98121

Diana Cartwright
Office of the Attorney General
800 Fifth Avenue, Suite 2000
Seattle, WA 98104

Alice Franck
6335 Wilson Avenue S
Seattle, WA 98118

Benjamin McLaughlin
7501 Greenwood Avenue N, #306
Seattle, WA 98103

2018-009-WPA

3

DIRECTOR'S ORDER REMANDING
APPEAL

RCW 49.48.084(4); RCW 34.05

Brenda Borja
4032 Evanston Avenue N
Seattle, WA 98103

Carol Radlo
3805 206th Place NE
Sammamish, WA 98074

Christopher Baumann
10130 Idaho Avenue
Everett, WA 98204

Christopher Gaynor
6250 1st Avenue S
Seattle, WA 98118

Dionee Hilaire
406 N L Street
Tacoma, WA 98403

Emma Swingle
8212 Corliss Avenue N
Seattle, WA 98103

Kurt Velguth
5716 15th Avenue NE, Apt. B
Seattle, WA 98105

LaFawn Smith
607 Williams Avenue South, #210
Renton, WA 98047

Laura Breyman
5122 162nd Place SE
Bellevue, WA 98006

Lester Pitle
4825 45th Avenue S
Seattle, WA 98118


Marcie Hamrick
1238 NW Blakely Court
Seattle, WA 98177

Meagan Tacheldor
18909 11th Avenue Court E
Spanaway, WA 98387

Roxanne Ho
6917 47th Street Court W
University Place, WA 98466

Tanya Knight
27224 23rd Avenue S
Federal Way, WA 98003

DATED this 7 day of May, 2018, at Tumwater, Washington.


Lisa Rodriguez