



Filing a WISHA Appeal (Washington Industrial Safety and Health Act)

What is the BIIA?

The Board of Industrial Insurance Appeals (BIIA) is a state agency that is **independent** from the Department of Labor and Industries (L&I). The BIIA hears appeals from decisions made by L&I in several areas.

WISHA Cases

L&I will issue a Citation and Notice. An appeal must be filed with L&I within 15 working days of receipt of the Citation and Notice. L&I will either take further action or send the appeal to the BIIA. If L&I takes further action, it will issue a Correction Notice of Redetermination (CNR).

WISHA Appeals

You must file an appeal within 15 working days of receipt of the CNR. Your appeal should include:

- The name and address of the employer (and its representative)
- The Citation and Notice number and date of CNR being appealed
- The reasons why you believe L&I's decision is incorrect
- The name and address of any union representing affected employees
- The county in which you would like proceedings to be held

Requesting Stay of Abatement

You can request a stay of abatement for any alleged serious, willful, repeated serious violation, or alleged failure to abate a serious violation. There are strict requirements to make this request:

- The request must be included in the Notice of Appeal.
- The request must include names and addresses of any unions.
- The request must include a Certification of Posting Notice to Employees.
- Additionally, there are strict deadlines for filing evidence supporting your request.
- Refer to RCW 49.17.140(4)(a), WAC 263-12-059, and WAC 263-12-050(7).

File in Person, by Mail, or by Fax

Board of Industrial Insurance Appeals
2430 Chandler Court SW
PO Box 42401
Olympia WA 98504-2401

Fax: 855-586-5611

File a copy of the appeal with L&I

Safety and Health Division/DOSH
Department of Labor and Industries
PO Box 44600
Olympia, WA 98504

Helpful Links

Board of Industrial Insurance Appeals:
www.biia.wa.gov

Dept. of Labor and Industries:
www.lni.wa.gov

The appeal process:
www.biia.wa.gov/AppealProcess.html

Appeal statutes and rules:
www.leg.wa.gov/lawsandagencyrules
See RCW 51.52 and WAC 263-12

Contact Us

BIIA Headquarters:

2430 Chandler Court SW
PO Box 42401
Olympia, WA 98504-2401

General Information:

360-753-6823 or 800-441-0447
Fax: 855-586-5611