

---

ENGROSSED SENATE BILL 5337

---

State of Washington                      56th Legislature                      1999 Regular Session

By Senators Kohl-Welles, Heavey, McCaslin, Costa and Thibaudeau

Read first time 01/20/1999. Referred to Committee on Judiciary.

1            AN ACT Relating to actions for employment discrimination; and  
2 creating new sections.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.    **Sec. 1.** The legislature finds that competitiveness  
5 in Washington state suffers whenever any worker is unable to achieve  
6 his or her maximum potential because of discrimination in the  
7 workplace, regardless of whether the employer is large or small. The  
8 legislature also finds that state discrimination laws must provide  
9 greater certainty and predictability to employers and employees  
10 affected by the requirements, and must recognize the unique needs of  
11 small businesses. Employers and employees deserve a fair, expeditious,  
12 and cost-effective resolution of disputes and also deserve to be made  
13 aware of their rights and responsibilities under the laws.

14            NEW SECTION.    **Sec. 2.** (1) A task force is created to study and  
15 make recommendations where applicable on the following issues, relating  
16 to the subject of employment discrimination:

1 (a) The historical evolution of laws in Washington state and laws  
2 enacted at the federal level to address the issue of employment  
3 discrimination;

4 (b) Existing laws and administrative procedures utilized at the  
5 federal, state, and local levels to address the issue of employment  
6 discrimination;

7 (c) Administrative practices and procedures employed by the state  
8 human rights commission, and case trend data, employed by the  
9 commission to process claims of discrimination and assist employers and  
10 employees;

11 (d) An analysis of options in Washington state and other states  
12 which encourage fair, expeditious, and cost-effective resolution of  
13 employment discrimination cases;

14 (e) Changes required in existing laws and procedures which will  
15 assure that all workers alleging employment discrimination shall have  
16 a resolution of the allegation and, where appropriate, a remedy which  
17 is fair, expeditious, and cost-effective;

18 (f) Changes to existing laws and procedures which: (i) Are fair,  
19 expeditious, and cost-effective; (ii) will provide greater  
20 predictability and certainty to employers; and (iii) address the unique  
21 needs and limitations of small businesses; and

22 (g) Education, training, and public relation options for assuring  
23 that employees and employers have improved understanding of their  
24 rights and obligations under the state employment discrimination laws.

25 (2) The task force shall be composed of ten members as follows:

26 (a) Two members each from the senate and the house of  
27 representatives, one each from each of the two largest caucuses in each  
28 chamber. The president of the senate shall appoint the two members of  
29 the task force from the senate. The co-speakers of the house of  
30 representatives shall appoint the two members of the task force from  
31 the house of representatives; and

32 (b) Six members, to be appointed jointly by the president of the  
33 senate and the co-speakers of the house of representatives, three of  
34 whom shall represent Washington businesses, from a list of names  
35 recommended by major state-wide organizations of employers representing  
36 a cross-section of businesses in the state, including small businesses  
37 and three of whom shall represent protected classes of workers, from a  
38 list submitted by major state-wide organizations representing these  
39 classes.

1       (3) All state and local government agencies, including the human  
2 rights commission, shall provide information and assistance to the task  
3 force.

4       (4) Senate committee services and the office of program research  
5 shall provide staff to support the task force.

6       (5) The task force shall submit its study and recommendations to  
7 the governor and legislature not later than November 15, 1999.

--- END ---