
Commerce & Labor Committee

SB 5501

Brief Description: Authorizing use of lie detector tests on juvenile court services employment applicants.

Sponsors: Senators Hargrove, Stevens, Delvin, Regala and Shin.

Brief Summary of Bill

- Allows county juvenile court services agencies to require persons applying for employment to take lie detector and similar tests as a condition of employment.

Hearing Date: 3/17/05

Staff: Jill Reinmuth (786-7134).

Background:

Employers are prohibited from requiring employees or prospective employees to take lie detector or similar tests as a condition of employment. There are exceptions to this prohibition for persons applying for employment with law enforcement agencies, persons applying for or continuing employment with drug manufacturers, distributors, and dispensers, and persons in sensitive positions directly involving national security.

Employers who unlawfully require lie detector or similar tests may be subject to civil and criminal liability. In a civil action, a prevailing employee or prospective employee may be awarded actual damages, a civil penalty of \$500, and reasonable attorneys' fees and costs. (A prevailing employer may be awarded reasonable attorneys' fees and expenses if the civil action is frivolous and advanced without reasonable cause.) In a criminal action, an employer may be found guilty of a misdemeanor.

Summary of Bill:

Employers continue to be prohibited from requiring employees or prospective employees to take lie detector or similar tests as a condition of employment. However, the exception to this prohibition for persons applying for employment with law enforcement agencies is extended to county juvenile court services agencies. Consequently, county juvenile court services agencies may require persons applying for employment to take lie detector and similar tests as a condition of employment.

Rules Authority: The bill does not contain provisions addressing the rule-making powers of an agency.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.