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HOUSE BILL 3103

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State of Washington                      59th Legislature                      2006 Regular Session

By Representatives Hunt, Williams, Upthegrove, Anderson, Hasegawa, Ormsby and Simpson

Read first time 01/20/2006.                      Referred to Committee on State Government Operations & Accountability.

1            AN ACT Relating to authorizing state employees to express their  
2 professional opinions and use their independent professional judgments;  
3 adding new sections to chapter 42.52 RCW; and creating a new section.

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

5            NEW SECTION.    **Sec. 1.** The legislature finds that:

6            (1) A workplace where state employees can feel free to express  
7 their professional opinions encourages an open and free exchange of  
8 ideas and knowledge and more efficient government;

9            (2) Scientific integrity in work by state employees is increasingly  
10 important as the issues the state faces are increasing in complexity;  
11 and

12            (3) Many professional licenses require license holders to express  
13 their professional opinions and make independent professional judgments  
14 in their work.

15            NEW SECTION.    **Sec. 2.** A new section is added to chapter 42.52 RCW  
16 to read as follows:

17            (1) State employees may express their professional opinions in the

1 workplace on topics within their scope of duties, even if those  
2 opinions differ from the agency's official position or their  
3 supervisor's opinions.

4 (2) No state employee will be required to sign a document if he or  
5 she objects to the contents of the document on the basis of  
6 professional, technical, or scientific grounds or the employee has a  
7 reasonable basis to believe that signing the document could jeopardize  
8 his or her professional license.

9 (3) When a state employee is representing the employee's agency,  
10 employees may publicly express his or her professional opinion on an  
11 issue, even if it is inconsistent with the agency's position on the  
12 issue, if the employee clearly indicates he or she is expressing his or  
13 her own professional opinion.

14 (4) When not on duty, state employees may express their  
15 professional opinions on issues, whether or not the issues are related  
16 to their job duties. When expressing their professional opinions to  
17 the public about issues related to their job duties, the employee must  
18 clearly indicate it is his or her own personal professional opinion and  
19 that the employee is not representing the employee's agency.

20 (5) Nothing in this section limits a state employee's right as a  
21 private citizen to express an opinion on any issue on his or her own  
22 time.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 42.52 RCW  
24 to read as follows:

25 Any retaliation, disciplinary action, or withholding of a promotion  
26 to a state employee because he or she expressed his or her professional  
27 opinion or refused to sign a document as provided for under section 2  
28 of this act is a violation of this chapter.

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