

HOUSE BILL REPORT

SSB 5118

As Reported by House Committee On:
State Government & Tribal Affairs

Title: An act relating to developing sexual harassment policies, procedures, and mandatory training for all state employees.

Brief Description: Developing sexual harassment policies, procedures, and mandatory training for all state employees.

Sponsors: Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, Brandland, Keiser, Murray, Prentice, McAuliffe, Marr and Shin).

Brief History:

Committee Activity:

State Government & Tribal Affairs: 3/23/07, 3/30/07 [DP].

Brief Summary of Substitute Bill

- Codifies existing policy on sexual harassment contained in Executive Order 89-01.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: Do pass. Signed by 6 members: Representatives Hunt, Chair; Appleton, Vice Chair; Green, McDermott, Miloscia and Ormsby.

Minority Report: Do not pass. Signed by 3 members: Representatives Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member and Kretz.

Staff: Marsha Reilly (786-7135).

Background:

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964 and RCW 49.60, Washington Law Against Discrimination (WLAD).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In 1989, then Governor Gardner issued Executive Order 89-01 which stated that it is the public policy of the state to provide and maintain a working environment free from sexual harassment for its employees and all citizens participating in state programs. The Executive Order requires all state agencies to develop and disseminate a policy on sexual harassment, to conduct training and education for all employees, and to respond promptly and effectively to sexual harassment concerns. The Executive Order also requires the Department of Personnel to incorporate into its Affirmative Action Program Guidelines criteria addressing compliance with this Executive Order.

Summary of Bill:

The existing Executive Order 89-01 on Sexual Harassment for state agencies is codified. The Department of Personnel is required to develop rules establishing guidelines on policies, procedures, reporting, and mandatory training for all state agencies to comply with this act. The cost of the mandatory training is to be covered by the state agencies within existing resources.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) It is very important and essential to codify this policy. The potential cost is great, and there has already been a cost to taxpayers due to lawsuits and settlements on sexual harassment cases. Workers and state employees should be free from harassment and intimidation and should be free from concerns of being fired for bringing forth a complaint. The weight of the law will add strength to the policy.

(Opposed) None.

Persons Testifying: Senator Kohl-Welles, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.