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HOUSE BILL 1735

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State of Washington                      60th Legislature                      2007 Regular Session

By Representatives Hunt, Chase, Appleton, Dickerson, O'Brien,  
Hasegawa, Wood and Ormsby

Read first time 01/26/2007.                      Referred to Committee on State  
Government & Tribal Affairs.

1            AN ACT Relating to authorizing state employees who provide services  
2 to persons with developmental disabilities to express their  
3 professional opinions and use their independent professional judgments;  
4 adding new sections to chapter 42.52 RCW; and creating a new section.

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

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

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

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

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

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

1 (1) For the purposes of this section, "state employee" means a  
2 state employee who provides services to persons with developmental  
3 disabilities.

4 (2) State employees may express their professional opinions in the  
5 workplace on topics within their scope of duties, even if those  
6 opinions differ from the agency's official position or their  
7 supervisor's opinions.

8 (3) No state employee will be required to sign a document if he or  
9 she objects to the contents of the document on the basis of  
10 professional, technical, or scientific grounds or the employee has a  
11 reasonable basis to believe that signing the document could jeopardize  
12 his or her professional license.

13 (4) When a state employee is representing the employee's agency,  
14 employees may publicly express his or her professional opinion on an  
15 issue, even if it is inconsistent with the agency's position on the  
16 issue, if the employee clearly indicates he or she is expressing his or  
17 her own professional opinion.

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

24 (6) Nothing in this section limits a state employee's right as a  
25 private citizen to express an opinion on any issue on his or her own  
26 time.

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

29 Any retaliation, disciplinary action, or withholding of a promotion  
30 to a state employee as defined in section 2 of this act because he or  
31 she expressed his or her professional opinion or refused to sign a  
32 document as provided for under section 2 of this act is a violation of  
33 this chapter.

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