

# SENATE BILL REPORT

## SB 5836

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As of February 15, 2017

**Title:** An act relating to enhancing enforcement of the equal pay act.

**Brief Description:** Enhancing enforcement of the equal pay act.

**Sponsors:** Senators Fain, Cleveland, Baumgartner, Keiser and Braun.

**Brief History:**

**Committee Activity:** Commerce, Labor & Sports:

**Brief Summary of Bill**

- Expresses the Legislature's intent to update the existing Washington State equal pay act to reflect the equal status of all workers in the state.

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### SENATE COMMITTEE ON COMMERCE, LABOR & SPORTS

**Staff:** Richard Rodger (786-7461)

**Background:** The Industrial Welfare Act contains a number of wage and wage-related provisions. One provision, the Equal Pay Act (EPA), provides that an employer who discriminates in the payment of wages as between sexes or who pays any female a lesser wage than males similarly employed is guilty of a misdemeanor. The EPA further provides that if a female receives less compensation because of sex discrimination, she may sue and recover the difference in compensation she should have received. It is a defense that the difference in wages is based in good faith on a factor or factors other than sex.

The Washington Law Against Discrimination, administered by the Human Rights Commission (HRC), also makes it an unfair employment practice to discriminate in compensation because of sex. Under a work-sharing agreement with the Equal Employment Opportunity Commission (EEOC), complaints alleging a violation of the EPA filed with HRC are investigated by the EEOC.

The National Labor Relations Act protects the right of some employees to discuss the terms and conditions of employment.

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*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.*

**Summary of Bill:** The Legislature intends to update the existing Washington State equal pay act to reflect the equal status of all workers in the state. The Legislature finds that in order to establish equality among workers, men and women in the same job must be compensated as equals. The Legislature also intends to ensure that employees have the opportunity to exercise their rights to discuss their wages.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.