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SECOND SUBSTITUTE HOUSE BILL 2511

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State of Washington

66th Legislature

2020 Regular Session

**By** House Appropriations (originally sponsored by Representatives Stonier, Sells, Gregerson, Ormsby, Chapman, Valdez, Chopp, Bergquist, Davis, Doglio, Frame, Ramel, Pollet, Macri, Goodman, Riccelli, and Robinson; by request of Attorney General and Office of the Governor)

READ FIRST TIME 02/11/20.

1 AN ACT Relating to providing labor protections for domestic  
2 workers; amending RCW 49.60.040; adding a new chapter to Title 49  
3 RCW; prescribing penalties; and providing an effective date.

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

5 NEW SECTION. **Sec. 1.** Whereas there is increasing demand for  
6 domestic service professions and domestic workers are often isolated  
7 and vulnerable to exploitation, it is a priority for the legislature  
8 to provide workers with clear rights and freedom from harassment and  
9 protection from retaliation; and to make clear for hiring entities  
10 which actions are prohibited in a domestic service employment  
11 relationship.

12 NEW SECTION. **Sec. 2.** The definitions in this section apply  
13 throughout this chapter unless the context clearly requires  
14 otherwise.

15 (1) "Casual labor" refers to work that is irregular, uncertain,  
16 and incidental in nature and duration and is different in nature from  
17 the type of paid work in which the worker is customarily engaged in.

18 (2) "Discrimination" means employment discrimination prohibited  
19 by chapter 49.60 RCW, including discriminatory harassment.

1 (3) "Discriminatory harassment" is unwelcome conduct that is  
2 based on a protected class listed in RCW 49.60.030(1) where the  
3 conduct is severe or pervasive enough to create a work environment  
4 that a reasonable person would consider intimidating, hostile, or  
5 abusive. "Discriminatory harassment" includes sexual harassment.

6 (4) "Domestic service" means household services for members of  
7 households or their guests in private homes. This includes the  
8 maintenance of private homes or their premises.

9 (5)(a) "Domestic worker" includes hourly and salaried employees  
10 who are paid wages for their services and includes any worker who:

11 (i) Works for one or more hiring entity; and

12 (ii) Is an individual who works in residences as a nanny, house  
13 cleaner, home care worker, cook, gardener, or household manager, or  
14 for any domestic service purpose including but not limited to: Caring  
15 for a child; providing support services for a person who is sick,  
16 convalescing, elderly, or a person with a disability; providing  
17 housekeeping or house cleaning services; cooking; providing food or  
18 butler services; parking cars; cleaning laundry; gardening; or  
19 working as a household manager.

20 (b) "Domestic worker" does not include:

21 (i) Persons who provide babysitting on a casual labor basis;

22 (ii) Persons who provide services or supports for a family member  
23 on a casual labor basis;

24 (iii) Any individual employed in casual labor in or about a  
25 private home, unless performed in the course of the hiring entity's  
26 trade, business, or profession;

27 (iv) Individual providers, as defined in RCW 74.39A.240;

28 (v) An au pair participant who has been granted a J-1 visa for  
29 participation in the federal department of state designated exchange  
30 visitor program governed by 22 C.F.R. section 62.31;

31 (vi) Persons who perform house sitting, pet sitting, and dog  
32 walking duties that do not involve domestic service;

33 (vii) Persons providing services to another family member who is  
34 sick, convalescing, elderly, or a person with a disability, where the  
35 family members do not intend to establish an employer-employee  
36 relationship. An employer-employee relationship does not exist under  
37 such circumstances when:

38 (A) The family members have mutually agreed that care is provided  
39 gratuitously; or

1 (B) The family member provides services for fewer than fifteen  
2 hours per week and the family member providing care does not provide  
3 domestic services in the person's ordinary course of business.

4 (6) "Employ" includes to permit to work.

5 (7) "Family member" shall be liberally construed to include, but  
6 not be limited to, a parent, child, sibling, aunt, uncle, cousin,  
7 grandparent, grandchild, grandniece, or grandnephew, or such  
8 relatives when related by marriage or any individual related by blood  
9 or affinity whose close association with the individual is the  
10 equivalent of a family relationship.

11 (8) "Hiring entity" means any employer, as defined in RCW  
12 49.46.010(4), and in RCW 49.60.040(11), who employs a domestic  
13 worker, as well as any individual, partnership, association,  
14 corporation, business trust, or any combination thereof, which pays a  
15 wage or pays wages for the services of a domestic worker. It includes  
16 any such entity, person, or group of persons that provides  
17 compensation directly or indirectly to a domestic worker for the  
18 performance of domestic services and any such entity, person, or  
19 persons acting directly or indirectly in the interest of the hiring  
20 entity in relation to the domestic worker. "Hiring entity" does not  
21 include a state agency or home care agency as defined in RCW  
22 70.127.010 and licensed under chapter 70.127 RCW if the home care  
23 agency receives funding through RCW 74.39A.310.

24 NEW SECTION. **Sec. 3.** (1) A hiring entity that employs a  
25 domestic worker may not:

26 (a) Request that the domestic worker allow the hiring entity, on  
27 either a mandatory or voluntary basis, to have possession of any  
28 personal effects, including any legal documents, including forms of  
29 identification, passports, or other immigration documents;

30 (b) Engage in any form of discrimination or discriminatory  
31 harassment as defined in section 2 (2) and (3) of this act;

32 (c) Terminate a domestic worker, retaliate against a domestic  
33 worker, reduce the pay of a domestic worker, or refuse to offer  
34 future assignments to a domestic worker for requesting reassignment  
35 due to any alleged discrimination or abusive behavior that falls  
36 under the requirements in (b) of this subsection;

37 (d) Subject a domestic worker to conduct with the purpose or  
38 effect of unreasonable interfering with the domestic worker's work

1 performance by creating an intimidating, hostile, or offensive work  
2 environment;

3 (e) Monitor or record, through any means, the activities of the  
4 domestic worker using a bathroom or similar facility, in the domestic  
5 worker's private living quarters, or while the domestic worker is  
6 engaged in personal activities associated with dressing or changing  
7 clothes;

8 (f) Monitor, record, or interfere with the private communications  
9 of a domestic worker;

10 (g) Communicate to a person exercising rights protected under  
11 this chapter, directly or indirectly, the willingness or intent to  
12 inform a government employee or contracted organization suspected  
13 citizenship or immigration status of a domestic worker or a family  
14 member to a federal, state, or local agency because the domestic  
15 worker has exercised any right under this chapter;

16 (h) Take any adverse action against a domestic worker because the  
17 domestic worker has exercised their rights provided under this  
18 chapter. Such rights include, but are not limited to: Filing an  
19 action, organizing or communicating amongst themselves, participating  
20 in political speech, disclosing their immigration status, or  
21 instituting or causing to be instituted any proceeding under or  
22 related to this chapter.

23 (2) A domestic worker who files a complaint or brings suit  
24 alleging discrimination in violation of RCW 49.60.180 shall be  
25 entitled to all the procedural and substantive rights available under  
26 chapter 49.60 RCW except when:

27 (a) The hiring entity is a person who is elderly or has a  
28 disability that results in discriminatory or harassing behaviors; and

29 (b) A hiring entity informs a domestic worker, providing home  
30 care or personal care services to a person who has a documented  
31 behavioral condition, that the hiring entity has reason to believe  
32 that those behaviors will result in discrimination and abusive  
33 conduct likely occurring in or around the client's home prior to  
34 assigning the employee to that client and throughout the duration of  
35 service; and

36 (c) The behaviors can be shown as directly resulting from a  
37 diagnosed and documented cognitive impairment; and

38 (d) The domestic worker voluntarily agrees to initiate or  
39 continue the employment relationship; or

1 (e) A hiring entity receiving personal care services, as defined  
2 in RCW 74.39A.009, refuses to hire an employee based on gender  
3 preferences.

4 (3) Except where subsection (2)(b), (c), and (d) of this section  
5 apply, there must be a disclosure of information about the behavioral  
6 health needs of the individual being cared for, as well as tools and  
7 supports available to the domestic worker, including but not limited  
8 to any applicable behavior management plan. The disclosure should be  
9 reviewed regularly and must be updated when any changes in behavior  
10 occur.

11 NEW SECTION. **Sec. 4.** Where more than one hiring entity has an  
12 employment relationship with a domestic worker in connection with the  
13 same work or where more than one hiring entity has an overlapping  
14 employment relationship with a domestic worker, the hiring entities  
15 are subject to liability as well as fines and penalties for  
16 violations. Any state agency that does not contract with or employ  
17 domestic workers in the ordinary course of business shall not be  
18 subject to liability unless that state agency directly interferes  
19 with the rights established for domestic workers under this act.

20 NEW SECTION. **Sec. 5.** (1) It is unlawful for a hiring entity to  
21 interfere with, restrain, or deny the exercise of any right provided  
22 under or in connection with this chapter. This means a hiring entity  
23 may not use a domestic worker's exercise of any of the rights  
24 provided in this chapter as a negative factor in any employment  
25 action such as evaluation, promotion, or termination, or otherwise  
26 subject a domestic worker to discipline for the exercise of any  
27 rights provided under this chapter.

28 (2) No hiring entity or any other person shall communicate to a  
29 person exercising rights protected under this chapter, directly or  
30 indirectly, the willingness or intent to inform a government employee  
31 or contracted organization of suspected citizenship or immigration  
32 status of a domestic worker or a family member to a federal, state,  
33 or local agency because the domestic worker has exercised a right  
34 under this chapter.

35 (3) It is unlawful for a hiring entity to take any adverse action  
36 against a domestic worker because the domestic worker has exercised  
37 their rights provided under this chapter. Such rights include, but  
38 are not limited to: Filing a complaint, disclosing their immigration

1 status, or instituting or causing to be instituted any proceeding  
2 under or related to this chapter.

3 (4) Adverse action means any action taken or threatened by a  
4 hiring entity against a domestic worker for their exercise of rights  
5 under this chapter, which may include, but is not limited to:

6 (a) Denying the use of any rights provided under this chapter;

7 (b) Denying or delaying payment due under this chapter;

8 (c) Terminating, suspending, demoting, or denying a promotion;

9 (d) Reducing the number of work hours for which the domestic  
10 worker is scheduled;

11 (e) Altering the domestic worker's preexisting work schedule;

12 (f) Reducing the domestic worker's rate of pay; and

13 (g) Threatening to take, or taking action, based upon the  
14 immigration status of a domestic worker or a domestic worker's family  
15 member.

16 (5) It shall be considered a rebuttable presumption of  
17 retaliation if the employer or any other person takes an adverse  
18 action against a domestic worker within ninety calendar days of the  
19 domestic worker's exercise of rights protected under this chapter.  
20 However, in the case of seasonal employment that ended before the  
21 close of the ninety calendar day period, the presumption also applies  
22 if the employer fails to rehire a former domestic worker at the next  
23 opportunity for work in the same position. The employer may rebut the  
24 presumption with clear and convincing evidence that the adverse  
25 action was taken for a permissible purpose.

26 NEW SECTION. **Sec. 6.** Any standards or rights established by any  
27 applicable federal, state, or local law or ordinance, or any rule or  
28 regulation issued thereunder, which are more favorable to domestic  
29 workers than the minimum standards and rights established by this  
30 chapter, or any rule or regulation issued hereunder, shall not be  
31 affected by this chapter and such other laws, or rules or  
32 regulations, shall be in full force and effect and may be enforced as  
33 provided by law. The remedies provided by this chapter are not  
34 exclusive and are concurrent with any other remedy provided by law.

35 NEW SECTION. **Sec. 7.** The attorney general's office shall  
36 develop and make available a model disclosure statement which  
37 describes a hiring entity's obligations related to a domestic  
38 worker's rights under this chapter, in at least eight of the most

1 commonly spoken languages in Washington state. The disclosure  
2 statement must include notice about any state law, rule, or  
3 regulation applicable to domestic workers and indicate that federal  
4 or local ordinances, laws, rules, or regulations may also apply. The  
5 model disclosure must also include a telephone number and an address  
6 of the department of labor and industries to enable domestic workers  
7 to obtain more information about their rights, obligations, and  
8 enforcement.

9 NEW SECTION. **Sec. 8.** The attorney general's office shall  
10 develop and make available a model written employment agreement,  
11 which describes actions that are prohibited by a hiring entity and  
12 domestic workers' rights under this act in at least eight of the most  
13 commonly spoken languages.

14 NEW SECTION. **Sec. 9.** (1) A domestic worker who deems themselves  
15 injured by a violation of this act has the right to bring forward any  
16 civil action, in a court of competent jurisdiction, for any violation  
17 of rights pursuant to this act. This means any legal action necessary  
18 to collect such claim, and the hiring entity shall be required to pay  
19 the costs and such reasonable attorneys' fees as may be allowed by  
20 the court.

21 (2) Any agreement between such domestic worker and the hiring  
22 entity allowing the domestic worker to receive less than what is due  
23 shall be no defense to such action.

24 NEW SECTION. **Sec. 10.** (1) A work group, and accompanying  
25 subcommittees as appropriate, on domestic workers administered by the  
26 attorney general's office is formed to make recommendations on:

27 (a) A structure for an ongoing domestic worker standards board,  
28 including determining the authority and scope of the board. Such  
29 authority and scope shall include, but are not limited to, training  
30 on relevant labor laws, benefits, and protections; discrimination and  
31 sexual harassment; workplace safety standards; requirements on tax  
32 obligations; job skills and accreditation; fair scheduling practices;  
33 scope of rights and benefits that may apply to independent  
34 contractors; outreach, education, and enforcement practices to ensure  
35 compliance with applicable labor standards and to provide effective  
36 and updated information to both hiring entities and domestic workers;

1 (b) Access to benefits including, but not limited to, methods to  
2 make paid sick leave under RCW 49.46.210 and state industrial  
3 insurance available to domestic workers;

4 (c) Methods to increase access to paid family and medical leave;

5 (d) Legislative, regulatory, or other changes that should be made  
6 to the way hiring entities or domestic workers engage with the state  
7 industrial insurance system;

8 (e) The possible role of intermediary nonprofit organizations  
9 that make referrals for domestic workers and provide assistance.

10 (2) The work group shall include at least one representative from  
11 each of the following groups that reflects a balance in membership  
12 and interests:

13 (a) Directly impacted domestic workers employed in private homes;

14 (b) Unions, work centers, or intermediary nonprofit organizations  
15 that assist or refer such directly impacted workers;

16 (c) Hiring entities who directly employ single domestic workers  
17 in private homes;

18 (d) An organization that educates and organizes household hiring  
19 entities;

20 (e) At least two members of the department of labor and  
21 industries with expertise in industrial insurance and wage and hour  
22 laws and rules;

23 (f) One representative from the department of social and health  
24 services;

25 (g) An organization representing the area agencies on aging;

26 (h) An organization representing retired persons;

27 (i) One representative from the governor's office; and

28 (j) One representative from the attorney general's office.

29 (3) Representatives shall be appointed by the governor by July 1,  
30 2020.

31 (4) The work group shall report its findings and recommendations  
32 to the governor's office, attorney general's office, and appropriate  
33 committees of the legislature by April 1, 2021.

34 **Sec. 11.** RCW 49.60.040 and 2018 c 176 s 2 are each amended to  
35 read as follows:

36 The definitions in this section apply throughout this chapter  
37 unless the context clearly requires otherwise.

38 (1) "Aggrieved person" means any person who: (a) Claims to have  
39 been injured by an unfair practice in a real estate transaction; or



1 (b) believes that he or she will be injured by an unfair practice in  
2 a real estate transaction that is about to occur.

3 (2) "Any place of public resort, accommodation, assemblage, or  
4 amusement" includes, but is not limited to, any place, licensed or  
5 unlicensed, kept for gain, hire, or reward, or where charges are made  
6 for admission, service, occupancy, or use of any property or  
7 facilities, whether conducted for the entertainment, housing, or  
8 lodging of transient guests, or for the benefit, use, or  
9 accommodation of those seeking health, recreation, or rest, or for  
10 the burial or other disposition of human remains, or for the sale of  
11 goods, merchandise, services, or personal property, or for the  
12 rendering of personal services, or for public conveyance or  
13 transportation on land, water, or in the air, including the stations  
14 and terminals thereof and the garaging of vehicles, or where food or  
15 beverages of any kind are sold for consumption on the premises, or  
16 where public amusement, entertainment, sports, or recreation of any  
17 kind is offered with or without charge, or where medical service or  
18 care is made available, or where the public gathers, congregates, or  
19 assembles for amusement, recreation, or public purposes, or public  
20 halls, public elevators, and public washrooms of buildings and  
21 structures occupied by two or more tenants, or by the owner and one  
22 or more tenants, or any public library or educational institution, or  
23 schools of special instruction, or nursery schools, or day care  
24 centers or children's camps: PROVIDED, That nothing contained in this  
25 definition shall be construed to include or apply to any institute,  
26 bona fide club, or place of accommodation, which is by its nature  
27 distinctly private, including fraternal organizations, though where  
28 public use is permitted that use shall be covered by this chapter;  
29 nor shall anything contained in this definition apply to any  
30 educational facility, columbarium, crematory, mausoleum, or cemetery  
31 operated or maintained by a bona fide religious or sectarian  
32 institution.

33 (3) "Commission" means the Washington state human rights  
34 commission.

35 (4) "Complainant" means the person who files a complaint in a  
36 real estate transaction.

37 (5) "Covered multifamily dwelling" means: (a) Buildings  
38 consisting of four or more dwelling units if such buildings have one  
39 or more elevators; and (b) ground floor dwelling units in other  
40 buildings consisting of four or more dwelling units.

1 (6) "Credit transaction" includes any open or closed end credit  
2 transaction, whether in the nature of a loan, retail installment  
3 transaction, credit card issue or charge, or otherwise, and whether  
4 for personal or for business purposes, in which a service, finance,  
5 or interest charge is imposed, or which provides for repayment in  
6 scheduled payments, when such credit is extended in the regular  
7 course of any trade or commerce, including but not limited to  
8 transactions by banks, savings and loan associations or other  
9 financial lending institutions of whatever nature, stock brokers, or  
10 by a merchant or mercantile establishment which as part of its  
11 ordinary business permits or provides that payment for purchases of  
12 property or service therefrom may be deferred.

13 (7)(a) "Disability" means the presence of a sensory, mental, or  
14 physical impairment that:

15 (i) Is medically cognizable or diagnosable; or

16 (ii) Exists as a record or history; or

17 (iii) Is perceived to exist whether or not it exists in fact.

18 (b) A disability exists whether it is temporary or permanent,  
19 common or uncommon, mitigated or unmitigated, or whether or not it  
20 limits the ability to work generally or work at a particular job or  
21 whether or not it limits any other activity within the scope of this  
22 chapter.

23 (c) For purposes of this definition, "impairment" includes, but  
24 is not limited to:

25 (i) Any physiological disorder, or condition, cosmetic  
26 disfigurement, or anatomical loss affecting one or more of the  
27 following body systems: Neurological, musculoskeletal, special sense  
28 organs, respiratory, including speech organs, cardiovascular,  
29 reproductive, digestive, genitor-urinary, hemic and lymphatic, skin,  
30 and endocrine; or

31 (ii) Any mental, developmental, traumatic, or psychological  
32 disorder, including but not limited to cognitive limitation, organic  
33 brain syndrome, emotional or mental illness, and specific learning  
34 disabilities.

35 (d) Only for the purposes of qualifying for reasonable  
36 accommodation in employment, an impairment must be known or shown  
37 through an interactive process to exist in fact and:

38 (i) The impairment must have a substantially limiting effect upon  
39 the individual's ability to perform his or her job, the individual's  
40 ability to apply or be considered for a job, or the individual's

1 access to equal benefits, privileges, or terms or conditions of  
2 employment; or

3 (ii) The employee must have put the employer on notice of the  
4 existence of an impairment, and medical documentation must establish  
5 a reasonable likelihood that engaging in job functions without an  
6 accommodation would aggravate the impairment to the extent that it  
7 would create a substantially limiting effect.

8 (e) For purposes of (d) of this subsection, a limitation is not  
9 substantial if it has only a trivial effect.

10 (8) "Dog guide" means a dog that is trained for the purpose of  
11 guiding blind persons or a dog that is trained for the purpose of  
12 assisting hearing impaired persons.

13 (9) "Dwelling" means any building, structure, or portion thereof  
14 that is occupied as, or designed or intended for occupancy as, a  
15 residence by one or more families, and any vacant land that is  
16 offered for sale or lease for the construction or location thereon of  
17 any such building, structure, or portion thereof.

18 (10) "Employee" does not include any individual employed by his  
19 or her parents, spouse, or child(~~(, or in the domestic service of any~~  
20 ~~person))~~).

21 (11) "Employer" includes any person acting in the interest of an  
22 employer, directly or indirectly, who employs eight or more  
23 persons(~~(7)~~) and does not include any religious or sectarian  
24 organization not organized for private profit. "Employer" also  
25 includes a hiring entity who employs a domestic worker, as defined in  
26 section 2 of this act, regardless of the number of employees the  
27 hiring entity employs.

28 (12) "Employment agency" includes any person undertaking with or  
29 without compensation to recruit, procure, refer, or place employees  
30 (~~(for an employer)~~).

31 (13) "Families with children status" means one or more  
32 individuals who have not attained the age of eighteen years being  
33 domiciled with a parent or another person having legal custody of  
34 such individual or individuals, or with the designee of such parent  
35 or other person having such legal custody, with the written  
36 permission of such parent or other person. Families with children  
37 status also applies to any person who is pregnant or is in the  
38 process of securing legal custody of any individual who has not  
39 attained the age of eighteen years.

1 (14) "Full enjoyment of" includes the right to purchase any  
2 service, commodity, or article of personal property offered or sold  
3 on, or by, any establishment to the public, and the admission of any  
4 person to accommodations, advantages, facilities, or privileges of  
5 any place of public resort, accommodation, assemblage, or amusement,  
6 without acts directly or indirectly causing persons of any particular  
7 race, creed, color, sex, sexual orientation, national origin, or with  
8 any sensory, mental, or physical disability, or the use of a trained  
9 dog guide or service animal by a person with a disability, to be  
10 treated as not welcome, accepted, desired, or solicited.

11 (15) "Honorably discharged veteran or military status" means a  
12 person who is:

13 (a) A veteran, as defined in RCW 41.04.007; or

14 (b) An active or reserve member in any branch of the armed forces  
15 of the United States, including the national guard, coast guard, and  
16 armed forces reserves.

17 (16) "Labor organization" includes any organization which exists  
18 for the purpose, in whole or in part, of dealing with employers  
19 concerning grievances or terms or conditions of employment, or for  
20 other mutual aid or protection in connection with employment.

21 (17) "Marital status" means the legal status of being married,  
22 single, separated, divorced, or widowed.

23 (18) "National origin" includes "ancestry."

24 (19) "Person" includes one or more individuals, partnerships,  
25 associations, organizations, corporations, cooperatives, legal  
26 representatives, trustees and receivers, or any group of persons; it  
27 includes any owner, lessee, proprietor, manager, agent, or employee,  
28 whether one or more natural persons; and further includes any  
29 political or civil subdivisions of the state and any agency or  
30 instrumentality of the state or of any political or civil subdivision  
31 thereof.

32 (20) "Premises" means the interior or exterior spaces, parts,  
33 components, or elements of a building, including individual dwelling  
34 units and the public and common use areas of a building.

35 (21) "Real estate transaction" includes the sale, appraisal,  
36 brokering, exchange, purchase, rental, or lease of real property,  
37 transacting or applying for a real estate loan, or the provision of  
38 brokerage services.

39 (22) "Real property" includes buildings, structures, dwellings,  
40 real estate, lands, tenements, leaseholds, interests in real estate

1 cooperatives, condominiums, and hereditaments, corporeal and  
2 incorporeal, or any interest therein.

3 (23) "Respondent" means any person accused in a complaint or  
4 amended complaint of an unfair practice in a real estate transaction.

5 (24) "Service animal" means any dog or miniature horse, as  
6 discussed in RCW 49.60.214, that is individually trained to do work  
7 or perform tasks for the benefit of an individual with a disability,  
8 including a physical, sensory, psychiatric, intellectual, or other  
9 mental disability. The work or tasks performed by the service animal  
10 must be directly related to the individual's disability. Examples of  
11 work or tasks include, but are not limited to, assisting individuals  
12 who are blind or have low vision with navigation and other tasks,  
13 alerting individuals who are deaf or hard of hearing to the presence  
14 of people or sounds, providing nonviolent protection or rescue work,  
15 pulling a wheelchair, assisting an individual during a seizure,  
16 alerting individuals to the presence of allergens, retrieving items  
17 such as medicine or the telephone, providing physical support and  
18 assistance with balance and stability to individuals with mobility  
19 disabilities, and helping persons with psychiatric and neurological  
20 disabilities by preventing or interrupting impulsive or destructive  
21 behaviors. The crime deterrent effects of an animal's presence and  
22 the provision of emotional support, well-being, comfort, or  
23 companionship do not constitute work or tasks. This subsection does  
24 not apply to RCW 49.60.222 through 49.60.227 with respect to housing  
25 accommodations or real estate transactions.

26 (25) "Sex" means gender.

27 (26) "Sexual orientation" means heterosexuality, homosexuality,  
28 bisexuality, and gender expression or identity. As used in this  
29 definition, "gender expression or identity" means having or being  
30 perceived as having a gender identity, self-image, appearance,  
31 behavior, or expression, whether or not that gender identity, self-  
32 image, appearance, behavior, or expression is different from that  
33 traditionally associated with the sex assigned to that person at  
34 birth.

35 NEW SECTION. **Sec. 12.** This act may be known and cited as the  
36 domestic worker protection act.

37 NEW SECTION. **Sec. 13.** Sections 1 through 10, 12, and 14 of this  
38 act constitute a new chapter in Title 49 RCW.

1        NEW SECTION.    **Sec. 14.**    Sections 1 through 9, 11, and 12 of this  
2    act take effect July 1, 2021.

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