

HOUSE BILL REPORT

HB 1315

As Passed House:

March 1, 2021

Title: An act relating to creating a task force to identify the role of the workplace in helping curb domestic violence.

Brief Description: Creating a task force to identify the role of the workplace in helping curb domestic violence.

Sponsors: Representatives Mosbrucker, Orwall, Ryu, Simmons, Leavitt, Sells, Wylie, Ortiz-Self, Davis, Valdez, Johnson, J., Ormsby, Rule, Lekanoff, Duerr and Goodman.

Brief History:

Committee Activity:

Labor & Workplace Standards: 2/2/21, 2/15/21 [DP].

Floor Activity:

Passed House: 3/1/21, 97-0.

Brief Summary of Bill

- Creates a task force on domestic violence and workplace resources to identify the role of the workplace in helping to curb domestic violence.

HOUSE COMMITTEE ON LABOR & WORKPLACE STANDARDS

Majority Report: Do pass. Signed by 7 members: Representatives Sells, Chair; Berry, Vice Chair; Hoff, Ranking Minority Member; Mosbrucker, Assistant Ranking Minority Member; Bronoske, Harris and Ortiz-Self.

Staff: Sarah Cooper (786-7290) and Lily Smith (786-7175).

Background:

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

In the criminal context, a domestic violence offense is a crime committed by a family or household member against another, or by an intimate partner against another. In the absence of a criminal case, a person experiencing domestic violence may seek a civil protection order that restrains the respondent from contacting the protected person or visiting certain locations.

The state has several programs related to domestic violence assistance. For example, the Department of Social and Health Services (DSHS) contracts with local agencies for services to victims, and contact information for domestic violence organizations is on the DSHS's website. The Administrative Office of the Courts prepares and makes available an informational brochure regarding civil protection orders and related matters.

Domestic violence victims may take job-protected leave to seek legal or law enforcement help, seek treatment from a health care provider, or participate in actions to increase the victim's safety. Family members may also take job-protected leave to help a victim.

Summary of Bill:

The Department of Commerce (Commerce) must convene a task force (Task Force) on domestic violence and workplace resources to identify the role of the workplace in helping to curb domestic violence.

Commerce must appoint the following members of the Task Force:

- one member representing each of the following:
 - Association of Washington Business;
 - National Federation of Independent Business;
 - Washington Hospitality Association;
 - Washington Retail Association;
 - Washington State Labor Council;
 - Washington Coalition Against Domestic Violence; and
 - a federally recognized tribe;
- a business owner;
- a survivor of domestic violence; and
- up to two additional members.

The Task Force must review the role of the workplace in the lives of individuals experiencing domestic violence, the appropriate role of employers and employees in helping reduce the incidence of domestic violence, and whether legislation is needed to address these issues.

A preliminary report is due to the appropriate committees of the Legislature by December 1, 2021, and a final report is due December 1, 2022.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This bill unanimously passed the House of Representatives and Senate last year but was one of 147 bills vetoed by the Governor due to the state of emergency caused by COVID-19. One in four individuals will be faced with domestic violence and this bill is an attempt to curb future domestic violence. This bill is especially important during COVID-19: several perpetrators threaten their victims with getting COVID-19 to force victims to stay at home and not tell others of the abuse. Businesses are frequently the only safe place for a victim. The perpetrator usually wants the victim to go to work to earn a paycheck and it is often the only place where an individual can speak out to others. This bill includes a wide variety of members on the task force and it is the Legislature's responsibility to create a safe place for domestic violence survivors.

(Opposed) None.

(Other) The bill lacks proper sideboards to ensure the role of the employer is properly protected. The workplace is not a social services site. Employers, managers, and coworkers are not trained to deal with domestic violence situations. Domestic violence perpetrators can come to the workplace and threaten employees, which can be dangerous, especially if the victim does not seek legal assistance. Employers have an obligation to provide a safe place for all. Most businesses are small businesses without human resources departments. The task force does not include everyone at the table who are needed to represent the state's wide variety of businesses. The bill should include sideboards of what the task force should discuss and clarify that the task force should not impose mandates on employers. Employers should try to get help for the victim instead of trying to help them themselves. A few grammatical revisions would help ensure the task force is centered on things that will be helpful down the road.

Persons Testifying: (In support) Representative Mosbrucker, prime sponsor.

(Other) Jim King, Independent Business Association.

Persons Signed In To Testify But Not Testifying: None.