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**SENATE BILL 6169**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Senators Keiser, Conway, Hunt, Kuderer, Nguyen, and Wilson, C.

AN ACT Relating to training on the prevention of harassment, discrimination, and retaliation; and adding a new section to chapter 49.60 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 49.60 RCW to read as follows:

(1) By July 1, 2021, the department will create a registration to qualify trainers and peer trainers on the prevention of harassment, discrimination, and retaliation, including harassment based on gender, gender expression, and sexual orientation.

(2) In qualifying trainers, the department will consider whether the trainer has experience explaining:

(a) The negative effects of sexual harassment and discrimination on individual victims and the workplace as a whole;

(b) Federal and state discrimination and sexual harassment law and definitions;

(c) What constitutes sexual harassment using practical examples specific to an industry and work environment, and providing examples showing how sexual harassment can take place between members of the same and different genders, including harassment on the basis of gender, gender expression, or sexual orientation;

(d) A harassed person's rights and remedies, including the legal complaint process under state and federal law;

(e) How retaliation against a person who makes a complaint of harassment or a survivor of harassment is illegal;

(f) Prevention methods of harassment and discrimination at a workplace, including supervisor best practices, and training on bystander intervention and respectful workplaces; and

(g) How consensual behavior, where consent is mutually affirmed, may be acknowledged without anxiety or confusion, and that consenting adults' behavior will not be considered sexual harassment or subject to sexual harassment policies.

(3) The department's considerations for qualifying peer trainers shall be generally consistent with the criteria set forth in subsection (2) of this section. At a minimum, peer trainers must also have all of the following qualifications:

(a) Completion of a minimum of a cumulative forty hours of sexual violence advocate training that includes survivor-centered and trauma-informed principles and techniques, and interactive teaching strategies that engage across multiple literacy levels;

(b) Possession of two years of nonsupervisory work experience in the same industry as the peer workers they will train; and

(c) Culturally competent and fluent in the language or languages understood by the peer workers they will train.

(4) The director may adopt and enforce rules to carry out this section.

(5) For purposes of this section:

(a) "Department" means the department of labor and industries.

(b) "Director" means the director of the department of labor and industries.

(c) "Employer" has the same meaning as and shall be interpreted consistent with how that term is defined in RCW 49.17.020.

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