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SENATE BILL 6354

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State of Washington

54th Legislature

1996 Regular Session

By Senator Sutherland

Read first time 01/11/96. Referred to Committee on Labor, Commerce & Trade.

1 AN ACT Relating to employment based on higher education; adding new  
2 sections to chapter 49.44 RCW; creating a new section; and prescribing  
3 penalties.

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

5 NEW SECTION. **Sec. 1.** It is the intent of the legislature that  
6 citizens of Washington state be hired for employment on the basis of  
7 their demonstrated knowledge, skills, and performance, regardless of  
8 whether or not they have attended or graduated from a public or private  
9 institution of higher education.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.44 RCW  
11 to read as follows:

12 It is an unfair practice:

13 (1) For an employer to refuse to hire or employ or to bar or  
14 terminate from employment any individual because the individual did not  
15 attend a public or private institution of higher education or because  
16 the individual does not possess a degree granted by a public or private  
17 institution of higher education. Nothing in this section forbids a  
18 requirement that an applicant for employment possess a high school

1 diploma or show successful completion of a general education  
2 development test. Nothing in this section applies to licensing  
3 requirements established by state or federal licensing agencies;

4 (2) For an employer or an employment agency to print or circulate,  
5 or cause to be printed or circulated, any statement, advertisement, or  
6 publication, to use any form of application for employment, or to make  
7 any inquiry in connection with prospective employment, that expresses  
8 any limitation, specification, or discrimination with respect to  
9 individuals who have not attended a public or private institution of  
10 higher education or who do not possess a degree granted by a public or  
11 private institution of higher education.

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 49.44 RCW  
13 to read as follows:

14 In a civil action alleging a violation of section 2 of this act,  
15 the court may:

16 (1) Award a penalty in the amount of one thousand dollars to a  
17 prevailing individual in addition to any award of actual damages;

18 (2) Award reasonable attorneys' fees and costs to the prevailing  
19 individual; and

20 (3) Pursuant to RCW 4.84.185, award a prevailing party against whom  
21 an action has been brought for a violation of section 2 of this act  
22 reasonable expenses and attorneys' fees upon final judgment and written  
23 findings by the trial judge that the action was frivolous and advanced  
24 without reasonable cause.

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