
SENATE BILL 6431

State of Washington

54th Legislature

1996 Regular Session

By Senators Sutherland and Bauer

Read first time 01/15/96. Referred to Committee on Labor, Commerce & Trade.

1 AN ACT Relating to state employment based on higher education;
2 adding new sections to chapter 41.04 RCW; creating a new section; and
3 prescribing 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 state employment on the basis
7 of 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 41.04 RCW
11 to read as follows:

12 (1) It is an unfair practice for a state agency:

13 (a) To refuse to hire or employ or to bar or terminate from
14 employment any individual because the individual did not attend a
15 public or private institution of higher education or because the
16 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 (b) To print or circulate, or cause to be printed or circulated,
5 any statement, advertisement, or publication, to use any form of
6 application for employment, or to make any inquiry in connection with
7 prospective employment, that expresses any limitation, specification,
8 or discrimination with respect to individuals who have not attended a
9 public or private institution of higher education or who do not possess
10 a degree granted by a public or private institution of higher
11 education.

12 (2) For the purposes of this section, "state agency" means
13 departments, offices, agencies, or institutions of state government,
14 the legislature, institutions of higher education, school districts,
15 and educational service districts.

16 NEW SECTION. **Sec. 3.** A new section is added to chapter 44.04 RCW
17 to read as follows:

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

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

22 (2) Award reasonable attorneys' fees and costs to the prevailing
23 individual; and

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

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