

SENATE BILL REPORT

SB 6228

As of January 24, 2012

Title: An act relating to employment status discrimination.

Brief Description: Making employment status discrimination an unfair labor practice.

Sponsors: Senators Keiser, Conway, Kline and Kohl-Welles.

Brief History:

Committee Activity: Labor, Commerce & Consumer Protection: 1/23/12.

SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

Staff: Stephanie Christensen (786-7405)

Background: Washington's law against discrimination, Chapter 49.60 RCW, governs unfair practices of employers or employment agencies. It is an unfair practice for any employer or employment agency to discriminate against a person because of race; creed; color; national origin; honorably discharged veteran or military status; or the presence of any sensory, mental, or physical disability; or the use of a trained dog guide or service animal by a person with disability.

Summary of Bill: It is an unfair practice for any employer to refuse to hire, bar from employment, or discriminate against in compensation or other terms or conditions of employment, any person, because of the person's employment status.

It is an unfair practice for any employer or employment agency to print or circulate any statement, advertisement, or publication; use any form of application for employment; or make any inquiry in connection with prospective employment which expresses any limitation, specification, or discrimination as to employment status.

It is an unfair practice for any employment agency to fail or refuse to classify properly, or refer for employment, or to otherwise discriminate against an individual because of employment status.

Appropriation: None.

Fiscal Note: Not requested.

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

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The unemployment rate is still high, and many individuals have been out of work for an extended period of time. Discriminating against the unemployed is unfair and doesn't make sense. The fact that someone is unemployed does not mean that they are not qualified for a particular job.

CON: This bill will create another place for disgruntled individuals to file complaints against small employers. Small businesses will suffer from the high cost of defending against complaints.

OTHER: Meaningful employment is a human right that the government cannot take away.

Persons Testifying: PRO: Rebecca Johnson, WA State Labor Council; Lonnie Johnson-Brown, National Organization for Women; Philip Lindquist, International Union of Painters and Allied Trades; Sean O'Sullivan, Assn. of Western Pulp and Paper Workers.

CON: Krist Tefft, Assn. of WA Business; Gary Smith, Independent Business Assn.

OTHER: Yoshe Revelle, citizen.