
SENATE BILL 6228

State of Washington

62nd Legislature

2012 Regular Session

By Senators Keiser, Conway, Kline, and Kohl-Welles

Read first time 01/16/12. Referred to Committee on Labor, Commerce & Consumer Protection.

1 AN ACT Relating to employment status discrimination; and amending
2 RCW 49.60.180 and 49.60.200.

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

4 **Sec. 1.** RCW 49.60.180 and 2007 c 187 s 9 are each amended to read
5 as follows:

6 It is an unfair practice for any employer:

7 (1) To refuse to hire any person because of age, sex, marital
8 status, sexual orientation, race, creed, color, national origin,
9 honorably discharged veteran or military status, employment status, or
10 the presence of any sensory, mental, or physical disability or the use
11 of a trained dog guide or service animal by a person with a disability,
12 unless based upon a bona fide occupational qualification: PROVIDED,
13 That the prohibition against discrimination because of such disability
14 shall not apply if the particular disability prevents the proper
15 performance of the particular worker involved: PROVIDED, That this
16 section shall not be construed to require an employer to establish
17 employment goals or quotas based on sexual orientation.

18 (2) To discharge or bar any person from employment because of age,
19 sex, marital status, sexual orientation, race, creed, color, national

1 origin, honorably discharged veteran or military status, employment
2 status, or the presence of any sensory, mental, or physical disability
3 or the use of a trained dog guide or service animal by a person with a
4 disability.

5 (3) To discriminate against any person in compensation or in other
6 terms or conditions of employment because of age, sex, marital status,
7 sexual orientation, race, creed, color, national origin, honorably
8 discharged veteran or military status, employment status, or the
9 presence of any sensory, mental, or physical disability or the use of
10 a trained dog guide or service animal by a person with a disability:
11 PROVIDED, That it shall not be an unfair practice for an employer to
12 segregate washrooms or locker facilities on the basis of sex, or to
13 base other terms and conditions of employment on the sex of employees
14 where the commission by regulation or ruling in a particular instance
15 has found the employment practice to be appropriate for the practical
16 realization of equality of opportunity between the sexes.

17 (4) To print, or circulate, or cause to be printed or circulated
18 any statement, advertisement, or publication, or to use any form of
19 application for employment, or to make any inquiry in connection with
20 prospective employment, which expresses any limitation, specification,
21 or discrimination as to age, sex, marital status, sexual orientation,
22 race, creed, color, national origin, honorably discharged veteran or
23 military status, employment status, or the presence of any sensory,
24 mental, or physical disability or the use of a trained dog guide or
25 service animal by a person with a disability, or any intent to make any
26 such limitation, specification, or discrimination, unless based upon a
27 bona fide occupational qualification: PROVIDED, Nothing contained
28 herein shall prohibit advertising in a foreign language.

29 **Sec. 2.** RCW 49.60.200 and 2007 c 187 s 11 are each amended to read
30 as follows:

31 It is an unfair practice for any employment agency to fail or
32 refuse to classify properly or refer for employment, or otherwise to
33 discriminate against, an individual because of age, sex, marital
34 status, sexual orientation, race, creed, color, national origin,
35 honorably discharged veteran or military status, employment status, or
36 the presence of any sensory, mental, or physical disability or the use
37 of a trained dog guide or service animal by a person with a disability,

1 or to print or circulate, or cause to be printed or circulated any
2 statement, advertisement, or publication, or to use any form of
3 application for employment, or to make any inquiry in connection with
4 prospective employment, which expresses any limitation, specification
5 or discrimination as to age, sex, race, sexual orientation, creed,
6 color, or national origin, honorably discharged veteran or military
7 status, employment status, or the presence of any sensory, mental, or
8 physical disability or the use of a trained dog guide or service animal
9 by a person with a disability, or any intent to make any such
10 limitation, specification, or discrimination, unless based upon a bona
11 fide occupational qualification: PROVIDED, Nothing contained herein
12 shall prohibit advertising in a foreign language.

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