
SENATE BILL 5996

State of Washington

65th Legislature

2018 Regular Session

By Senators Keiser, Darneille, Frockt, Van De Wege, Pedersen, Hunt, Chase, Saldaña, Kuderer, and Hasegawa

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1 AN ACT Relating to encouraging the disclosure and discussion of
2 sexual harassment and sexual assault in the workplace; and adding a
3 new section to chapter 49.44 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 49.44
6 RCW to read as follows:

7 (1) An employer may not require an employee, as a condition of
8 employment, to sign a nondisclosure agreement, waiver, or other
9 document that prevents the employee from disclosing sexual harassment
10 or sexual assault occurring in the workplace, at work-related events
11 coordinated by or through the employer, or between employees, or
12 between an employer and an employee, off the employment premises.

13 (2) Any nondisclosure agreement, waiver, or other document signed
14 by an employee as a condition of employment that has the purpose or
15 effect of preventing the employee from disclosing or discussing
16 sexual harassment or sexual assault occurring in the workplace, at
17 work-related events coordinated by or through the employer, or
18 between employees, or between an employer and an employee, off the
19 employment premises is against public policy and is void and
20 unenforceable.

1 (3) It is an unfair practice under chapter 49.60 RCW for an
2 employer to discharge or otherwise retaliate against an employee for
3 disclosing or discussing sexual harassment or sexual assault
4 occurring in the workplace, at work-related events coordinated by or
5 through the employer, or between employees, or between an employer
6 and an employee, off the employment premises.

7 (4) For the purposes of this section:

8 (a) "Sexual assault" means any type of sexual contact or behavior
9 that occurs without the explicit consent of the recipient.

10 (b) "Sexual contact" has the same meaning as in RCW 9A.44.010.

11 (c) "Sexual harassment" has the same meaning as in RCW
12 28A.640.020.

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