

SENATE BILL REPORT

SB 6034

As Reported by Senate Committee On:
Labor & Commerce, January 20, 2020

Title: An act relating to extending the time allowed to file a complaint with the human rights commission for a claim related to pregnancy discrimination.

Brief Description: Extending the time allowed to file a complaint with the human rights commission for a claim related to pregnancy discrimination.

Sponsors: Senators Keiser, Conway, Wellman, Dhingra, Stanford, Saldaña, Pedersen, Darneille, Frockt, Hunt, Kuderer, Lovelett, Nguyen, Randall, Cleveland and Wilson, C.

Brief History:

Committee Activity: Labor & Commerce: 1/16/20, 1/20/20 [DP, w/oRec].

Brief Summary of Bill

- Requires complaints alleging pregnancy discrimination to be filed with the Human Rights Commission within one year of the alleged unfair practice, instead of within six months.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Stanford, Walsh and Wellman.

Minority Report: That it be referred without recommendation.

Signed by Senators King, Ranking Member; Braun and Schoesler.

Staff: Richard Rodger (786-7461)

Background: Washington's Law Against Discrimination (WLAD) establishes that it is a civil right to be free from discrimination because of a certain protected status, such as race, national origin, sex, veteran or military status, sexual orientation, and disability. WLAD applies to employers who employ eight or more persons, but does not apply to nonprofit religious or sectarian organizations.

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.

While pregnancy itself is not considered a disability, the discrimination prohibitions may apply to a pregnancy-related medical condition that results in a temporary disability. Additionally, as it applies to sex discrimination, an employer may not refuse to hire, demote, or impose different conditions of employment on a person because they are pregnant.

The Human Rights Commission (HRC) is responsible, in part, for administering and enforcing WLAD. Any person who is aggrieved by an alleged unfair practice may file a complaint with HRC within six months of the alleged act of discrimination. Complaints relating to certain real estate transactions must be filed within one year, and complaints relating to alleged whistleblower retaliation must be filed within two years.

Summary of Bill: Complaints alleging pregnancy discrimination must be filed with the HRC within one year of the alleged unfair practice, instead of within six months.

Appropriation: None.

Fiscal Note: Requested on January 20, 2020.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: This bill is necessary to help protect pregnant women from discrimination. The current six-month time limit is insufficient for a pregnant mother to file a claim when they are dealing with medical complications, hospitalizations, and delivering a child. Studies show that moms are hired 40 percent less than non-moms, and if they are hired, they are paid \$11,000 less per year. When dads are hired they are given an average of \$6,000 more per year than non-dads. The bill will help ensure that the current Washington laws are enforced.

Persons Testifying: PRO: Senator Karen Keiser, Prime Sponsor; Chelsey Glasson, citizen; Maggie Humphreys, MomsRising.

Persons Signed In To Testify But Not Testifying: No one.