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**SUBSTITUTE SENATE BILL 6247**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senate Labor & Commerce (originally sponsored by Senators Saldaña, Keiser, Conway, Nguyen, Randall, Darneille, Das, Hasegawa, Kuderer, Pedersen, Stanford, Wilson, C., Frockt, and Hunt; by request of Attorney General and Governor Inslee)

READ FIRST TIME 02/07/20.

1 AN ACT Relating to providing labor protections for domestic  
2 workers; amending RCW 49.60.040; adding a new chapter to Title 49  
3 RCW; prescribing penalties; and providing an effective date.

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

5 NEW SECTION. **Sec. 1.** Whereas there is increasing demand for  
6 domestic service professions and domestic workers are often isolated  
7 and vulnerable to exploitation, it is a priority for the legislature  
8 to provide workers with clear rights and freedom from harassment and  
9 protection from retaliation; and to make clear for hiring entities  
10 which actions are prohibited in a domestic service employment  
11 relationship.

12 NEW SECTION. **Sec. 2.** The definitions in this section apply  
13 throughout this chapter unless the context clearly requires  
14 otherwise.

15 (1) "Casual labor" refers to work that is irregular, uncertain,  
16 and incidental in nature and duration and is different in nature from  
17 the type of paid work in which the worker is customarily engaged in.

18 (2) "Discrimination" means employment discrimination prohibited  
19 by chapter 49.60 RCW, including discriminatory harassment.

1 (3) "Discriminatory harassment" is unwelcome conduct that is  
2 based on a protected class listed in RCW 49.60.030(1) where the  
3 conduct is severe or pervasive enough to create a work environment  
4 that a reasonable person would consider intimidating, hostile, or  
5 abusive. "Discriminatory harassment" includes sexual harassment.

6 (4) "Domestic service" means household services for members of  
7 households or their guests in private homes. This includes the  
8 maintenance of private homes or their premises.

9 (5)(a) "Domestic worker" includes hourly and salaried employees  
10 who are paid wages for their services and includes any worker who:

11 (i) Works for one or more hiring entity; and

12 (ii) Is an individual who works in residences as a nanny, house  
13 cleaner, home care worker, cook, gardener, or household manager, or  
14 for any domestic service purpose including but not limited to: Caring  
15 for a child; providing support services for a person who is sick,  
16 convalescing, elderly, or a person with a disability; providing  
17 housekeeping or house cleaning services; cooking; providing food or  
18 butler services; parking cars; cleaning laundry; gardening; or  
19 working as a household manager.

20 (b) "Domestic worker" does not include:

21 (i) Persons who provide babysitting on a casual labor basis;

22 (ii) Persons who provide services or supports for a family member  
23 on a casual labor basis;

24 (iii) Any individual employed in casual labor in or about a  
25 private home, unless performed in the course of the hiring entity's  
26 trade, business, or profession;

27 (iv) Individual providers, as defined in RCW 74.39A.240;

28 (v) Persons who perform house sitting, pet sitting, and dog  
29 walking duties that do not involve domestic service;

30 (vi) Persons providing services to another family member who is  
31 sick, convalescing, elderly, or a person with a disability, where the  
32 family members do not intend to establish an employer-employee  
33 relationship. An employer-employee relationship does not exist under  
34 such circumstances when:

35 (A) The family members have mutually agreed that care is provided  
36 gratuitously; or

37 (B) The family member provides services for fewer than fifteen  
38 hours per week and the family member providing care does not provide  
39 domestic services in the person's ordinary course of business.

40 (6) "Employ" includes to permit to work.

1 (7) "Family member" shall be liberally construed to include, but  
2 not be limited to, a parent, child, sibling, aunt, uncle, cousin,  
3 grandparent, grandchild, grandniece, or grandnephew, or such  
4 relatives when related by marriage or any individual related by blood  
5 or affinity whose close association with the individual is the  
6 equivalent of a family relationship.

7 (8) "Hiring entity" means any employer, as defined in RCW  
8 49.46.010(4), and in RCW 49.60.040(11), who employs a domestic  
9 worker, as well as any individual, partnership, association,  
10 corporation, business trust, or any combination thereof, which pays a  
11 wage or pays wages for the services of a domestic worker. It includes  
12 any such entity, person, or group of persons that provides  
13 compensation directly or indirectly to a domestic worker for the  
14 performance of domestic services and any such entity, person, or  
15 persons acting directly or indirectly in the interest of the hiring  
16 entity in relation to the domestic worker. "Hiring entity" does not  
17 include a state agency or home care agency as defined in RCW  
18 70.127.010 and licensed under chapter 70.127 RCW if the home care  
19 agency receives funding through RCW 74.39A.310.

20 NEW SECTION. **Sec. 3.** (1) A hiring entity that employs a  
21 domestic worker may not:

22 (a) Request that the domestic worker allow the hiring entity, on  
23 either a mandatory or voluntary basis, to have possession of any  
24 personal effects, including any legal documents, including forms of  
25 identification, passports, or other immigration documents;

26 (b) Engage in any form of discrimination or discriminatory  
27 harassment as defined in section 2 (2) and (3) of this act;

28 (c) Terminate a domestic worker, retaliate against a domestic  
29 worker, reduce the pay of a domestic worker, or refuse to offer  
30 future assignments to a domestic worker for requesting reassignment  
31 due to any alleged discrimination or abusive behavior that falls  
32 under the requirements in (b) of this subsection;

33 (d) Subject a domestic worker to conduct with the purpose or  
34 effect of unreasonable interfering with the domestic worker's work  
35 performance by creating an intimidating, hostile, or offensive work  
36 environment;

37 (e) Monitor or record, through any means, the activities of the  
38 domestic worker using a bathroom or similar facility, in the domestic  
39 worker's private living quarters, or while the domestic worker is

1 engaged in personal activities associated with dressing or changing  
2 clothes;

3 (f) Monitor, record, or interfere with the private communications  
4 of a domestic worker;

5 (g) Communicate to a person exercising rights protected under  
6 this chapter, directly or indirectly, the willingness or intent to  
7 inform a government employee or contracted organization suspected  
8 citizenship or immigration status of a domestic worker or a family  
9 member to a federal, state, or local agency because the domestic  
10 worker has exercised any right under this chapter;

11 (h) Take any adverse action against a domestic worker because the  
12 domestic worker has exercised their rights provided under this  
13 chapter. Such rights include, but are not limited to: Filing an  
14 action, organizing or communicating amongst themselves, participating  
15 in political speech, disclosing their immigration status, or  
16 instituting or causing to be instituted any proceeding under or  
17 related to this chapter.

18 (2) A domestic worker who files a complaint or brings suit  
19 alleging discrimination in violation of RCW 49.60.180 shall be  
20 entitled to all the procedural and substantive rights available under  
21 chapter 49.60 RCW except when:

22 (a) The hiring entity is a person who is elderly or has a  
23 disability that results in discriminatory or harassing behaviors; and

24 (b) A hiring entity informs a domestic worker, providing home  
25 care or personal care services to a person who has a documented  
26 behavioral condition, that the hiring entity has reason to believe  
27 that those behaviors will result in discrimination and abusive  
28 conduct likely occurring in or around the client's home prior to  
29 assigning the employee to that client and throughout the duration of  
30 service; and

31 (c) The behaviors can be shown as directly resulting from a  
32 diagnosed and documented cognitive impairment; and

33 (d) The domestic worker voluntarily agrees to initiate or  
34 continue the employment relationship; or

35 (e) A hiring entity receiving personal care services, as defined  
36 in RCW 74.39A.009, refuses to hire an employee based on gender  
37 preferences.

38 (3) Except where subsection (2)(b), (c), and (d) of this section  
39 apply, there must be a disclosure of information about the behavioral  
40 health needs of the individual being cared for, as well as tools and

1 supports available to the domestic worker, including but not limited  
2 to any applicable behavior management plan. The disclosure should be  
3 reviewed regularly and must be updated when any changes in behavior  
4 occur.

5 NEW SECTION. **Sec. 4.** Where more than one hiring entity has an  
6 employment relationship with a domestic worker in connection with the  
7 same work or where more than one hiring entity has an overlapping  
8 employment relationship with a domestic worker, the hiring entities  
9 are subject to liability as well as fines and penalties for  
10 violations. Any state agency that does not contract with or employ  
11 domestic workers in the ordinary course of business shall not be  
12 subject to liability unless that state agency directly interferes  
13 with the rights established for domestic workers under this act.

14 NEW SECTION. **Sec. 5.** (1) It is unlawful for a hiring entity to  
15 interfere with, restrain, or deny the exercise of any right provided  
16 under or in connection with this chapter. This means a hiring entity  
17 may not use a domestic worker's exercise of any of the rights  
18 provided in this chapter as a negative factor in any employment  
19 action such as evaluation, promotion, or termination, or otherwise  
20 subject a domestic worker to discipline for the exercise of any  
21 rights provided under this chapter.

22 (2) No hiring entity or any other person shall communicate to a  
23 person exercising rights protected under this chapter, directly or  
24 indirectly, the willingness or intent to inform a government employee  
25 or contracted organization of suspected citizenship or immigration  
26 status of a domestic worker or a family member to a federal, state,  
27 or local agency because the domestic worker has exercised a right  
28 under this chapter.

29 (3) It is unlawful for a hiring entity to take any adverse action  
30 against a domestic worker because the domestic worker has exercised  
31 their rights provided under this chapter. Such rights include, but  
32 are not limited to: Filing a complaint, disclosing their immigration  
33 status, or instituting or causing to be instituted any proceeding  
34 under or related to this chapter.

35 (4) Adverse action means any action taken or threatened by a  
36 hiring entity against a domestic worker for their exercise of rights  
37 under this chapter, which may include, but is not limited to:

38 (a) Denying the use of any rights provided under this chapter;

- 1 (b) Denying or delaying payment due under this chapter;
- 2 (c) Terminating, suspending, demoting, or denying a promotion;
- 3 (d) Reducing the number of work hours for which the domestic  
4 worker is scheduled;
- 5 (e) Altering the domestic worker's preexisting work schedule;
- 6 (f) Reducing the domestic worker's rate of pay; and
- 7 (g) Threatening to take, or taking action, based upon the  
8 immigration status of a domestic worker or a domestic worker's family  
9 member.

10 (5) It shall be considered a rebuttable presumption of  
11 retaliation if the employer or any other person takes an adverse  
12 action against a domestic worker within ninety calendar days of the  
13 domestic worker's exercise of rights protected under this chapter.  
14 However, in the case of seasonal employment that ended before the  
15 close of the ninety calendar day period, the presumption also applies  
16 if the employer fails to rehire a former domestic worker at the next  
17 opportunity for work in the same position. The employer may rebut the  
18 presumption with clear and convincing evidence that the adverse  
19 action was taken for a permissible purpose.

20 NEW SECTION. **Sec. 6.** Any standards or rights established by any  
21 applicable federal, state, or local law or ordinance, or any rule or  
22 regulation issued thereunder, which are more favorable to domestic  
23 workers than the minimum standards and rights established by this  
24 chapter, or any rule or regulation issued hereunder, shall not be  
25 affected by this chapter and such other laws, or rules or  
26 regulations, shall be in full force and effect and may be enforced as  
27 provided by law. The remedies provided by this chapter are not  
28 exclusive and are concurrent with any other remedy provided by law.

29 NEW SECTION. **Sec. 7.** The attorney general's office shall  
30 develop and make available a model disclosure statement which  
31 describes a hiring entity's obligations related to a domestic  
32 worker's rights under this chapter, in at least eight of the most  
33 commonly spoken languages in Washington state. The disclosure  
34 statement must include notice about any state law, rule, or  
35 regulation applicable to domestic workers and indicate that federal  
36 or local ordinances, laws, rules, or regulations may also apply. The  
37 model disclosure must also include a telephone number and an address  
38 of the department of labor and industries to enable domestic workers

1 to obtain more information about their rights, obligations, and  
2 enforcement.

3 NEW SECTION. **Sec. 8.** The attorney general's office shall  
4 develop and make available a model written employment agreement,  
5 which describes actions that are prohibited by a hiring entity and  
6 domestic workers' rights under this act in at least eight of the most  
7 commonly spoken languages.

8 NEW SECTION. **Sec. 9.** (1) A domestic worker who deems themselves  
9 injured by a violation of this act has the right to bring forward any  
10 civil action, in a court of competent jurisdiction, for any violation  
11 of rights pursuant to this act. This means any legal action necessary  
12 to collect such claim, and the hiring entity shall be required to pay  
13 the costs and such reasonable attorneys' fees as may be allowed by  
14 the court.

15 (2) Any agreement between such domestic worker and the hiring  
16 entity allowing the domestic worker to receive less than what is due  
17 shall be no defense to such action.

18 NEW SECTION. **Sec. 10.** (1) A work group, and accompanying  
19 subcommittees as appropriate, on domestic workers administered by the  
20 attorney general's office is formed to make recommendations on:

21 (a) A structure for an ongoing domestic worker standards board,  
22 including determining the authority and scope of the board. Such  
23 authority and scope shall include, but are not limited to, training  
24 on relevant labor laws, benefits, and protections; discrimination and  
25 sexual harassment; workplace safety standards; requirements on tax  
26 obligations; job skills and accreditation; fair scheduling practices;  
27 scope of rights and benefits that may apply to independent  
28 contractors; outreach, education, and enforcement practices to ensure  
29 compliance with applicable labor standards and to provide effective  
30 and updated information to both hiring entities and domestic workers;

31 (b) Access to benefits including, but not limited to, methods to  
32 make paid sick leave under RCW 49.46.210 and state industrial  
33 insurance available to domestic workers;

34 (c) Methods to increase access to paid family and medical leave;

35 (d) Legislative, regulatory, or other changes that should be made  
36 to the way hiring entities or domestic workers engage with the state  
37 industrial insurance system;

1 (e) The possible role of intermediary nonprofit organizations  
2 that make referrals for domestic workers and provide assistance.

3 (2) The work group shall include at least one representative from  
4 each of the following groups that reflects a balance in membership  
5 and interests:

6 (a) Directly impacted domestic workers employed in private homes;

7 (b) Unions, work centers, or intermediary nonprofit organizations  
8 that assist or refer such directly impacted workers;

9 (c) Hiring entities who directly employ single domestic workers  
10 in private homes;

11 (d) An organization that educates and organizes household hiring  
12 entities;

13 (e) At least two members of the department of labor and  
14 industries with expertise in industrial insurance and wage and hour  
15 laws and rules;

16 (f) One representative from the department of social and health  
17 services;

18 (g) An organization representing the area agencies on aging;

19 (h) An organization representing retired persons;

20 (i) One representative from the governor's office; and

21 (j) One representative from the attorney general's office.

22 (3) Representatives shall be appointed by the governor by July 1,  
23 2020.

24 (4) The work group shall report its findings and recommendations  
25 to the governor's office, attorney general's office, and appropriate  
26 committees of the legislature by April 1, 2021.

27 **Sec. 11.** RCW 49.60.040 and 2018 c 176 s 2 are each amended to  
28 read as follows:

29 The definitions in this section apply throughout this chapter  
30 unless the context clearly requires otherwise.

31 (1) "Aggrieved person" means any person who: (a) Claims to have  
32 been injured by an unfair practice in a real estate transaction; or  
33 (b) believes that he or she will be injured by an unfair practice in  
34 a real estate transaction that is about to occur.

35 (2) "Any place of public resort, accommodation, assemblage, or  
36 amusement" includes, but is not limited to, any place, licensed or  
37 unlicensed, kept for gain, hire, or reward, or where charges are made  
38 for admission, service, occupancy, or use of any property or  
39 facilities, whether conducted for the entertainment, housing, or



1 lodging of transient guests, or for the benefit, use, or  
2 accommodation of those seeking health, recreation, or rest, or for  
3 the burial or other disposition of human remains, or for the sale of  
4 goods, merchandise, services, or personal property, or for the  
5 rendering of personal services, or for public conveyance or  
6 transportation on land, water, or in the air, including the stations  
7 and terminals thereof and the garaging of vehicles, or where food or  
8 beverages of any kind are sold for consumption on the premises, or  
9 where public amusement, entertainment, sports, or recreation of any  
10 kind is offered with or without charge, or where medical service or  
11 care is made available, or where the public gathers, congregates, or  
12 assembles for amusement, recreation, or public purposes, or public  
13 halls, public elevators, and public washrooms of buildings and  
14 structures occupied by two or more tenants, or by the owner and one  
15 or more tenants, or any public library or educational institution, or  
16 schools of special instruction, or nursery schools, or day care  
17 centers or children's camps: PROVIDED, That nothing contained in this  
18 definition shall be construed to include or apply to any institute,  
19 bona fide club, or place of accommodation, which is by its nature  
20 distinctly private, including fraternal organizations, though where  
21 public use is permitted that use shall be covered by this chapter;  
22 nor shall anything contained in this definition apply to any  
23 educational facility, columbarium, crematory, mausoleum, or cemetery  
24 operated or maintained by a bona fide religious or sectarian  
25 institution.

26 (3) "Commission" means the Washington state human rights  
27 commission.

28 (4) "Complainant" means the person who files a complaint in a  
29 real estate transaction.

30 (5) "Covered multifamily dwelling" means: (a) Buildings  
31 consisting of four or more dwelling units if such buildings have one  
32 or more elevators; and (b) ground floor dwelling units in other  
33 buildings consisting of four or more dwelling units.

34 (6) "Credit transaction" includes any open or closed end credit  
35 transaction, whether in the nature of a loan, retail installment  
36 transaction, credit card issue or charge, or otherwise, and whether  
37 for personal or for business purposes, in which a service, finance,  
38 or interest charge is imposed, or which provides for repayment in  
39 scheduled payments, when such credit is extended in the regular  
40 course of any trade or commerce, including but not limited to

1 transactions by banks, savings and loan associations or other  
2 financial lending institutions of whatever nature, stock brokers, or  
3 by a merchant or mercantile establishment which as part of its  
4 ordinary business permits or provides that payment for purchases of  
5 property or service therefrom may be deferred.

6 (7) (a) "Disability" means the presence of a sensory, mental, or  
7 physical impairment that:

8 (i) Is medically cognizable or diagnosable; or

9 (ii) Exists as a record or history; or

10 (iii) Is perceived to exist whether or not it exists in fact.

11 (b) A disability exists whether it is temporary or permanent,  
12 common or uncommon, mitigated or unmitigated, or whether or not it  
13 limits the ability to work generally or work at a particular job or  
14 whether or not it limits any other activity within the scope of this  
15 chapter.

16 (c) For purposes of this definition, "impairment" includes, but  
17 is not limited to:

18 (i) Any physiological disorder, or condition, cosmetic  
19 disfigurement, or anatomical loss affecting one or more of the  
20 following body systems: Neurological, musculoskeletal, special sense  
21 organs, respiratory, including speech organs, cardiovascular,  
22 reproductive, digestive, genitor-urinary, hemic and lymphatic, skin,  
23 and endocrine; or

24 (ii) Any mental, developmental, traumatic, or psychological  
25 disorder, including but not limited to cognitive limitation, organic  
26 brain syndrome, emotional or mental illness, and specific learning  
27 disabilities.

28 (d) Only for the purposes of qualifying for reasonable  
29 accommodation in employment, an impairment must be known or shown  
30 through an interactive process to exist in fact and:

31 (i) The impairment must have a substantially limiting effect upon  
32 the individual's ability to perform his or her job, the individual's  
33 ability to apply or be considered for a job, or the individual's  
34 access to equal benefits, privileges, or terms or conditions of  
35 employment; or

36 (ii) The employee must have put the employer on notice of the  
37 existence of an impairment, and medical documentation must establish  
38 a reasonable likelihood that engaging in job functions without an  
39 accommodation would aggravate the impairment to the extent that it  
40 would create a substantially limiting effect.

1 (e) For purposes of (d) of this subsection, a limitation is not  
2 substantial if it has only a trivial effect.

3 (8) "Dog guide" means a dog that is trained for the purpose of  
4 guiding blind persons or a dog that is trained for the purpose of  
5 assisting hearing impaired persons.

6 (9) "Dwelling" means any building, structure, or portion thereof  
7 that is occupied as, or designed or intended for occupancy as, a  
8 residence by one or more families, and any vacant land that is  
9 offered for sale or lease for the construction or location thereon of  
10 any such building, structure, or portion thereof.

11 (10) "Employee" does not include any individual employed by his  
12 or her parents, spouse, or child(~~(, or in the domestic service of any~~  
13 ~~person))~~).

14 (11) "Employer" includes any person acting in the interest of an  
15 employer, directly or indirectly, who employs eight or more  
16 persons(~~(7)~~) and does not include any religious or sectarian  
17 organization not organized for private profit. "Employer" also  
18 includes a hiring entity who employs a domestic worker, as defined in  
19 section 2 of this act, regardless of the number of employees the  
20 hiring entity employs.

21 (12) "Employment agency" includes any person undertaking with or  
22 without compensation to recruit, procure, refer, or place employees  
23 (~~(for an employer)~~).

24 (13) "Families with children status" means one or more  
25 individuals who have not attained the age of eighteen years being  
26 domiciled with a parent or another person having legal custody of  
27 such individual or individuals, or with the designee of such parent  
28 or other person having such legal custody, with the written  
29 permission of such parent or other person. Families with children  
30 status also applies to any person who is pregnant or is in the  
31 process of securing legal custody of any individual who has not  
32 attained the age of eighteen years.

33 (14) "Full enjoyment of" includes the right to purchase any  
34 service, commodity, or article of personal property offered or sold  
35 on, or by, any establishment to the public, and the admission of any  
36 person to accommodations, advantages, facilities, or privileges of  
37 any place of public resort, accommodation, assemblage, or amusement,  
38 without acts directly or indirectly causing persons of any particular  
39 race, creed, color, sex, sexual orientation, national origin, or with  
40 any sensory, mental, or physical disability, or the use of a trained

1 dog guide or service animal by a person with a disability, to be  
2 treated as not welcome, accepted, desired, or solicited.

3 (15) "Honorably discharged veteran or military status" means a  
4 person who is:

5 (a) A veteran, as defined in RCW 41.04.007; or

6 (b) An active or reserve member in any branch of the armed forces  
7 of the United States, including the national guard, coast guard, and  
8 armed forces reserves.

9 (16) "Labor organization" includes any organization which exists  
10 for the purpose, in whole or in part, of dealing with employers  
11 concerning grievances or terms or conditions of employment, or for  
12 other mutual aid or protection in connection with employment.

13 (17) "Marital status" means the legal status of being married,  
14 single, separated, divorced, or widowed.

15 (18) "National origin" includes "ancestry."

16 (19) "Person" includes one or more individuals, partnerships,  
17 associations, organizations, corporations, cooperatives, legal  
18 representatives, trustees and receivers, or any group of persons; it  
19 includes any owner, lessee, proprietor, manager, agent, or employee,  
20 whether one or more natural persons; and further includes any  
21 political or civil subdivisions of the state and any agency or  
22 instrumentality of the state or of any political or civil subdivision  
23 thereof.

24 (20) "Premises" means the interior or exterior spaces, parts,  
25 components, or elements of a building, including individual dwelling  
26 units and the public and common use areas of a building.

27 (21) "Real estate transaction" includes the sale, appraisal,  
28 brokering, exchange, purchase, rental, or lease of real property,  
29 transacting or applying for a real estate loan, or the provision of  
30 brokerage services.

31 (22) "Real property" includes buildings, structures, dwellings,  
32 real estate, lands, tenements, leaseholds, interests in real estate  
33 cooperatives, condominiums, and hereditaments, corporeal and  
34 incorporeal, or any interest therein.

35 (23) "Respondent" means any person accused in a complaint or  
36 amended complaint of an unfair practice in a real estate transaction.

37 (24) "Service animal" means any dog or miniature horse, as  
38 discussed in RCW 49.60.214, that is individually trained to do work  
39 or perform tasks for the benefit of an individual with a disability,  
40 including a physical, sensory, psychiatric, intellectual, or other

1 mental disability. The work or tasks performed by the service animal  
2 must be directly related to the individual's disability. Examples of  
3 work or tasks include, but are not limited to, assisting individuals  
4 who are blind or have low vision with navigation and other tasks,  
5 alerting individuals who are deaf or hard of hearing to the presence  
6 of people or sounds, providing nonviolent protection or rescue work,  
7 pulling a wheelchair, assisting an individual during a seizure,  
8 alerting individuals to the presence of allergens, retrieving items  
9 such as medicine or the telephone, providing physical support and  
10 assistance with balance and stability to individuals with mobility  
11 disabilities, and helping persons with psychiatric and neurological  
12 disabilities by preventing or interrupting impulsive or destructive  
13 behaviors. The crime deterrent effects of an animal's presence and  
14 the provision of emotional support, well-being, comfort, or  
15 companionship do not constitute work or tasks. This subsection does  
16 not apply to RCW 49.60.222 through 49.60.227 with respect to housing  
17 accommodations or real estate transactions.

18 (25) "Sex" means gender.

19 (26) "Sexual orientation" means heterosexuality, homosexuality,  
20 bisexuality, and gender expression or identity. As used in this  
21 definition, "gender expression or identity" means having or being  
22 perceived as having a gender identity, self-image, appearance,  
23 behavior, or expression, whether or not that gender identity, self-  
24 image, appearance, behavior, or expression is different from that  
25 traditionally associated with the sex assigned to that person at  
26 birth.

27 NEW SECTION. **Sec. 12.** This act may be known and cited as the  
28 domestic worker protection act.

29 NEW SECTION. **Sec. 13.** Sections 1 through 10, 12, and 14 of this  
30 act constitute a new chapter in Title 49 RCW.

31 NEW SECTION. **Sec. 14.** Sections 1 through 9, 11, and 12 of this  
32 act take effect July 1, 2021.

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