

# SENATE BILL REPORT

## SB 5130

---

As of January 27, 1999

**Title:** An act relating to expanding the state law against discrimination.

**Brief Description:** Modifying the scope of the state law against discrimination.

**Sponsors:** Senators Kohl-Welles, Heavey, Thibaudeau, Brown, Spanel, Snyder, Prentice, Kline, McAuliffe and Costa.

**Brief History:**

**Committee Activity:** Judiciary: 1/29/99.

---

### SENATE COMMITTEE ON JUDICIARY

**Staff:** Lidia Mori (786-7755)

**Background:** The Washington State Human Rights Commission was established in 1971 and given general jurisdiction and power to eliminate and prevent discrimination in employment and other settings. RCW Chapter 49.60 additionally grants a civil cause of action to any person deeming himself or herself injured due to discrimination because of race, creed, color, national origin, sex, marital status, age, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a disabled person.

Chapter 49.60 declares the right to be free from discrimination includes the right to obtain and hold employment, to the full enjoyment of public premises, and to engage in real estate, credit, insurance and commercial transactions free from discrimination. It also includes the right to engage in commerce free from any discriminatory boycotts or blacklists.

An "employer" is defined as any person acting in the interest of an employer, directly or indirectly, who employs eight or more persons and does not include any religious or sectarian organization not organized for private profit. A recent Washington Supreme Court case held that employers who employ fewer than eight persons are exempt from private actions for employment discrimination brought under RCW 49.60.030.

**Summary of Bill:** The definition of employer– includes any person acting in the interest of an employer, directly or indirectly, who employs one or more persons. It does not include any religious corporation, association, educational institution or society with respect to the employment of individuals of a particular religion performing work connected with the religious organization.

The Human Rights Commission is directed to make available an informational brochure to help employers engage in employment without discrimination. In addition, the commission is instructed to hold seminars throughout the state on the subject of engaging in employment without discrimination and may charge a fee to cover the costs of the programs and materials provided.

**Appropriation:** None.

**Fiscal Note:** Requested on January 25, 1999.

**Effective Date:** The bill contains an emergency clause and takes effect on July 1, 1999.