

SENATE BILL REPORT

SB 5126

As Reported By Senate Committee On:
Labor, Commerce, Research & Development, January 31, 2005
Ways & Means, February 22, 2005

Title: An act relating to developing policies, procedures, and mandatory training programs on sexual harassment for all state employees.

Brief Description: Developing policies, procedures, and mandatory training programs on sexual harassment for all state employees.

Sponsors: Senators Kohl-Welles, Kastama, Roach and Keiser.

Brief History:

Committee Activity: Labor, Commerce, Research & Development: 1/27/05, 1/31/05 [DP].
Ways & Means: 2/21/05, 2/22/05 [DPS].

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Hewitt, Keiser, Parlette and Prentice.

Staff: Alison Mendiola (786-7483)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5126 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Doumit, Vice Chair; Fraser, Vice Chair; Zarelli, Ranking Minority Member; Brandland, Fairley, Kohl-Welles, Parlette, Pridemore, Rasmussen, Regala, Roach, Rockefeller and Thibaudeau.

Staff: Steve Jones (786-7440)

Background: In 1989, Governor Gardner issued Executive Order 89-01, entitled "Sexual Harassment". The Executive Order states it is the public policy of the State to provide and maintain a working environment free from sexual harassment for its employees and all citizens participating in State programs.

Sexual harassment is a form of discrimination and is an unlawful employer practice under RCW 49.60 (Washington Law Against Discrimination) and Title VII of the Civil Rights Act of 1964.

The Executive Order also states that the Department of Personnel shall incorporate into its Affirmative Action Program Guidelines criteria addressing compliance with the Order.

All state agencies must maintain policy statements on sexual harassment.

Summary of Substitute Bill: The Director of the Department of Personnel is directed to adopt rules developing policies, procedures, and mandatory training programs on sexual harassment for all state employees. The cost of the training programs is to be borne by state agencies within existing resources.

Substitute Bill Compared to Original Bill: State agencies are required to absorb the cost of the training programs.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: This bill contains an emergency clause and takes effect on July 1, 2005.

Testimony For: Sexual harassment is illegal and impacts the morale, well-being and safety of workers. State employees should receive sexual harassment training. Sexual harassment training is a good investment of state resources because harassment litigation and settlements have cost taxpayers millions of dollars.

Testimony Against: None.

Who Testified: PRO: Senator Jeanne Kohl-Welles, prime sponsor; Toby Cremer & Lonnie Johns-Brown, WA Coalition of Sexual Assault Programs.