S-3903.3

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SENATE BILL 6471**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 65th Legislature 2018 Regular Session**

**By** Senators Keiser, Walsh, Rolfes, Dhingra, Bailey, Darneille, Hasegawa, Frockt, Conway, Chase, Kuderer, and Saldaña

AN ACT Relating to developing model policies to create workplaces that are safe from sexual harassment; adding a new section to chapter 49.60 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature finds that the equal employment opportunity commission estimates that twenty-five to eighty-five percent of working women have experienced sexual harassment on the job. Organizational tolerance of sexual harassment has a detrimental influence in workplaces by creating a hostile environment for women, reducing productivity, and increasing legal liability. It is the legislature's intent to encourage employers to adopt and actively implement policies to ensure their workplaces are safe for women workers to report concerns about sexual harassment without fear of retaliation, loss of status, or loss of promotional opportunities.

NEW SECTION. **Sec.**  A new section is added to chapter 49.60 RCW to read as follows:

(1) The commission must convene a stakeholder work group to develop model policies and best practices for employers and employees to keep workplaces safe from sexual harassment.

(2) To the extent practicable, the following groups should be represented in the work group:

(a) Representatives from the business community;

(b) Human resource professionals;

(c) Representatives from groups advocating for survivors of sexual harassment;

(d) Representatives of labor organizations; and

(e) Subject matter experts as deemed necessary by the commission.

(3) In developing best practices, the work group may consider:

(a) How workplace leaders can signal commitment to stopping sexual harassment;

(b) How to create and protect anonymous reporting channels to allow employees to raise concerns about workplace misconduct and to share ideas with leadership without worrying about being identified;

(c) How to ensure human resource departments are accountable for enforcing sexual harassment policies, aiding victims of sexual harassment, and encouraging victims to speak up;

(d) How to protect against retaliation for complainants and observers;

(e) Providing the opportunity for employees to establish affinity groups as a mechanism for sharing concerns about discrimination and harassment and to provide mentoring opportunities for employees;

(f) The use of exit surveys to identify the reason employees leave the workplace and to enhance working conditions to promote retention and an inclusive environment;

(g) The use of employee engagement surveys that contain questions regarding sexual harassment prevention;

(h) Using new employee orientations to emphasize inclusion and sexual harassment prevention;

(i) Evaluating executives, managers, and supervisors on their specific efforts to support an inclusive workplace and prevent sexual harassment;

(j) Requiring training for all employees in a classroom environment; and

(k) How to create an internal communication plan for communicating a commitment to inclusion and sexual harassment prevention.

(4)(a) By January 1, 2019, the commission must adopt model policies and best practices developed by the work group for employers and employees to keep workplaces safe from sexual harassment and post the model policies and best practices prominently on its web site for the public to access.

(b) Within thirty days of the commission adopting model policies and best practices, the department of labor and industries must post the model policies and best practices prominently on its web site for the public to access.

**--- END ---**