
ENGROSSED SUBSTITUTE HOUSE BILL 2018

AS AMENDED BY THE SENATE

Passed Legislature - 2019 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By House State Government & Tribal Relations (originally sponsored by Representatives Morgan, Jinkins, Harris, Bergquist, Appleton, Cody, Tharinger, Pollet, Fey, Tarleton, Goodman, Pettigrew, Doglio, Senn, Lovick, Dolan, Kilduff, Ryu, Thai, Stanford, Lekanoff, Wylie, Slatter, Hansen, Shewmake, Robinson, Chapman, Santos, Walen, Chopp, Fitzgibbon, Hudgins, Leavitt, Macri, Valdez, Irwin, Reeves, Pellicciotti, Frame, and Ormsby)

READ FIRST TIME 02/22/19.

1 AN ACT Relating to harassment and discrimination by legislators
2 and legislative branch employees; and amending RCW 42.52.070.

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

4 **Sec. 1.** RCW 42.52.070 and 1994 c 154 s 107 are each amended to
5 read as follows:

6 (1) Except as required to perform duties within the scope of
7 employment, no state officer or state employee may use his or her
8 position to secure special privileges or exemptions for himself or
9 herself, or his or her spouse, child, parents, or other persons.

10 (2) For purposes of this section, and only as applied to
11 legislators and employees of the legislative branch, "special
12 privileges" includes, but is not limited to, engaging in behavior
13 that constitutes harassment. As used in this section:

14 (a) "Harassment" means engaging in physical, verbal, visual, or
15 psychological conduct that:

16 (i) Has the purpose or effect of interfering with the person's
17 work performance;

18 (ii) Creates a hostile, intimidating, or offensive work
19 environment; or

20 (iii) Constitutes sexual harassment.

1 (b) "Sexual harassment" means unwelcome or unwanted sexual
2 advances, requests for sexual or romantic favors, sexually motivated
3 bullying, or other verbal, visual, physical, or psychological conduct
4 or communication of a sexual or romantic nature, when:

5 (i) Submission to the conduct or communication is either
6 explicitly or implicitly a term or condition of current or future
7 employment;

8 (ii) Submission to or rejection of the conduct or communication
9 is used as the basis of an employment decision affecting the person;
10 or

11 (iii) The conduct or communication unreasonably interferes with
12 the person's job performance or creates a work environment that is
13 hostile, intimidating, or offensive.

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