



GUS LINDSEY III

The Law Office of  
G. Benjamin Lindsey III

2012 Grade Road  
Suite 202  
Lake Stevens, WA 98258

Phone: (425) 263-9585

Please Visit:

[www.gbl3law.com](http://www.gbl3law.com)

for more information



## #MeToo: Washington Enacts Four New Workplace Laws To Address Sex Harassment And Gender Discrimination

On March 21, 2018, Governor Jay Inslee signed four new laws addressing sexual harassment and pay inequity. All four laws become effective on June 1, 2018.

**SB 1506** addresses inequities based on gender. Both pay and career advancement opportunities are covered. The Dept. of Labor and Industries (“LNI”) investigates the complaint. Upon finding a violation, LNI can issue penalties including: actual damages plus interest, the cost of the investigation, and any other appropriate relief. **All employers are covered by the new law**, not just those with eight or more employees. Also, contrary to the existing practice of some employers, an employee cannot be prohibited from discussing his/her pay in the workplace. Employees filing a complaint with LNI are protected against retaliation.

**SB 5996**, voids nondisclosure agreements, waivers or documents that prevent an employee from disclosing sexual harassment in a public setting (such as a court) or require the private arbitration of harassment claims as a condition of employment. SB 5996 does not prevent confidentiality provisions in settlement agreements.

However, even though SB 5996 does not preclude confidentiality clauses in settlement agreements, **SB 6068**, expressly allows evidence of past sexual harassment to be disclosed in a civil judicial or administrative action, even if a nondisclosure agreement exists. The legislature reasoned that a limitation on the ability of a person to produce evidence of past instances of sexual harassment is contrary to public policy and thus unenforceable.

Finally, **SB 6471**, charges the Washington Human Rights Commission with establishing a committee to create a “model policy” to keep workplaces safe from sexual harassment. The committee must adopt the model policies by January 1, 2019. Once finalized the model policy will be available to the public via LNI’s website.

Employers should review existing policies/handbooks to ensure compliance with these new laws. Employers should have sexual harassment policies that include both training and procedures for investigating sexual harassment complaints. Both elements support a harassment free workplace and a reduced litigation risk.

GBL3 Law advises businesses on employment law matters and represents employees that have experienced sexual harassment. For specific advice, contact GBL3 Law or your attorney.

**Disclaimer: The above information is general in nature and does not constitute legal advice for any specific situation.**