

# WASHINGTON STATE HUMAN RIGHTS COMMISSION

## GUIDE TO HONORABLY DISCHARGED VETERAN and MILITARY STATUS UNDER THE WASHINGTON LAW AGAINST DISCRIMINATION

SELF-ASSESSMENT CHECKLIST FOR COMPLIANCE  
and SUGGESTED BEST PRACTICES FOR EMPLOYMENT



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The *Self-Assessment Checklist for Compliance and Suggested Best Practices* is a practical tool for businesses, employers, and other covered entities. By following this Guide and developing and implementing appropriate policies and procedures, you can help prevent confusion and discrimination in the workplace, foster an inclusive environment and limit the likelihood that a discrimination complaint is filed against you. The Washington State Human Rights Commission (WSHRC) recommends that employers use this Guide in combination with the *Guide to Disability and Washington State Nondiscrimination Laws*, also published by the WSHRC.

This Guide is not intended to take the place of professional legal advice. Neither the State of Washington nor any agency shall be held liable for any losses caused by reliance on the accuracy, reliability or timeliness of such information.

The Guide is divided into two sections: policies and actions required for compliance, and policies and actions suggested for compliance.

Note: This Guide is specific to employers, business owners, human resource managers, and other entities who want concrete information about how to comply with the law. Where “Company” is referred to, we mean all covered entities that employ eight or more people in the State of Washington. In addition, there are many federal laws that prohibit veteran and military status discrimination in businesses with one or more employee.

Note: This is an interim interpretive statement and a work in progress. Please let us know about your experience using this instrument, and any suggestions for improvement. For further information and to provide feedback and suggestions, please contact Seth Kirby, Program Specialist, at 1-800-233-3247 or 360-586-3413.

Name of Company or Business:

Person/Title Completing Evaluation

Date / /

Directions: Please complete this form by checking either Yes or No. Responses should be based on supporting documentation that your company or business keeps on file.

SECTION 1: CHECKLIST FOR COMPLIANCE

Note: Where applicable, the policies and actions are required for compliance.

HIRING and RECRUITMENT

- 1. Our company lists honorably discharged veteran and military status,\* as part of our non-discrimination policy.

\*Note: “Honorably discharged veteran or military status means a person who is (a) A veteran, as defined in RCW 41.04.007; or (b) An active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves.” RCW 49.60.040(25).

Yes      No      ACTION TAKEN

- 2. Our company monitors our compliance with federal laws\* that prohibit discrimination against veterans and service members.

\*Note: For information on the Uniform Services Employment and Reemployment Rights Act (USERRA, 38USC § 4301 et. seq), visit the U.S. Department of Labor’s information page at <http://www.dol.gov/compliance/laws/comp-userra.htm>.

For information on the Vietnam Era Veterans’ Readjustment Assistance Act of 1974 (VEVRAA, 38USC § 4212 et. seq), visit the U.S. Department of Labor’s information page at <http://www.dol.gov/dol/topic/hiring/veterans.htm>.

For additional information, visit the U.S. Department of Veteran Affairs at [www.va.gov](http://www.va.gov) or the Washington State Department of Veteran Affairs at [www.dva.wa.gov](http://www.dva.wa.gov).

- 3. Our company engages in employment practices (e.g. hiring, promotion, assignment, training, etc.) that eliminate discrimination on the basis of all protected classes, including honorably discharged veteran and military status.

Yes      No      ACTION TAKEN

4. Our company includes honorably discharged veteran and military status and as part of our non-discrimination policy when publicizing information about our company, including in languages other than English.

Yes                      No                      ACTION TAKEN

5. Our company has reviewed our standard employment interview questions and application forms and removed any biased questions, as well as questions that might be used in a discriminatory way (e.g. questions regarding deployment).

Yes                      No                      ACTION TAKEN

6. Our company holds positions open for deployed service members under the provisions of the Uniform Services Employment and Reemployment Rights Act (USERRA).

Yes                      No                      ACTION TAKEN

#### EMPLOYEE EDUCATION

1. Have all current employees been made aware of the new protections of the law?

Yes                      No                      ACTION TAKEN

If Yes, how have employees been made aware:

Announcement in Company Newsletter

Announcement Posting

Announcement in Staff Meeting

Employee Training

Other - Please list:

2. Our company has a published internal grievance procedure providing for prompt and equitable resolution of employee complaints alleging discrimination based on honorably discharged veterans and military status.

Yes                      No                      ACTION TAKEN

#### HUMAN RESOURCES

1. Our company's human resources department has updated policies and procedures for investigating and resolving complaints of discrimination based on someone's real or perceived honorably discharged veterans and military status.

Yes                      No                      ACTION TAKEN

2. Our company provides education or training for managers and supervisors including an overview of our non-discrimination policy covering honorably discharged veterans and military status.

Yes                      No                      ACTION TAKEN

Date of Last Training:        /        /                                      Date of Next Training:        /        /

#### COMPARABLE COMPENSATION, TERMS, AND CONDITIONS

Note: Compensation, terms, and conditions must be provided equally regardless of one's honorably discharged veterans and military status.

1. Our company offers benefits equally and regardless of honorably discharged veteran and military status.

Yes                      No                      ACTION TAKEN

2. Our company offers family-leave benefits equally and regardless of honorably discharged veteran and military status.

Yes                      No                      ACTION TAKEN

3. Our company offers discounts (such as auto insurance) and facilities (such as a gym) benefits equally and regardless of honorably discharged veteran and military status.

Yes                      No                      ACTION TAKEN

4. Our company equally pays for the relocation or travel expenses of employees, regardless of honorably discharged veteran and military status.

Yes                      No                      ACTION TAKEN

5. Our company policies allow for a service member or honorably discharged veteran to take medical leave in the same manner as other employees needing medical leave. For example, if an employer does not provide sick leave, the employer should provide leave without pay to service member or veteran employees in the same manner that leave is provided to employees seeking other types of medical care.

Yes                      No                      ACTION TAKEN

6. Our company policies equally provide services to all customers or clients regardless of real or perceived honorably discharged veteran or military status.

Yes                      No                      ACTION TAKEN

7. Our company policies and actions equally allow for the promotion and compensation of employees regardless of one's honorably discharged veteran or military status.

Yes                      No                      ACTION TAKEN

8. Our company does not take honorably discharged veteran or military status into account when determining a reduction in hours, lay-off, or termination of employment.

Yes                      No                      ACTION TAKEN

9. Our company equally allows for the creation of and membership in company sponsored affinity groups, including groups related to veteran or military issues.

Yes                      No                      ACTION TAKEN

10. Our company has a policy to avoid the creation of a hostile work environment, including harassment based on honorably discharged veteran and military status.

Yes                      No                      ACTION TAKEN

11. Our company solicited feedback from veterans and service member employees and incorporated their ideas into our implementation plan.

Yes                      No                      ACTION TAKEN

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SECTION 2: CHECKLIST FOR SUGGESTED BEST PRACTICES

Note: Companies have the opportunity to go beyond strict compliance. Doing so can help create a diverse, open work environment, limit claims of discrimination, and foster good relations with employees and the community. The policies and actions below are recommended for compliance.

WORKPLACE DIVERSITY

1. Our company has adopted a diversity program or plan that includes veterans and service members.

Yes                      No                      ACTION TAKEN

2. Even though we are not required to by federal contract, our company allows for veteran preference in hiring.

Yes                      No                      ACTION TAKEN

3. Our company routinely disseminates information regarding our nondiscrimination policies.

Yes                      No                      ACTION TAKEN

4. Our company's policies and culture reflect an open, welcoming environment and organizational culture.

Yes                      No                      ACTION TAKEN

5. Our company's policies and culture are such that the company respects the differences in beliefs, cultures, and views on military service.

Yes                      No                      ACTION TAKEN

6. Our Employee Assistance Program is prepared to assist our employees who are veterans and service members, as well as our employees who are friends and family members of service members or veterans.

Yes                      No                      ACTION TAKEN

7. Our company has an alternative dispute resolution model in place should employees need to resolve a workplace dispute, including disputes regarding military issues specific to the workplace.

Yes                      No                      ACTION TAKEN

8. Our company's mediator(s) are sensitive to the needs and concerns of veterans and service members, as well as their and families.

Yes                      No                      ACTION TAKEN



## PRACTICE CHANGES

1. Our company provided updated staff diversity training to upper level management, including an overview of our company policies and procedures with respect to non-discrimination based on honorably discharged veteran and military status.

Yes                      No                      ACTION TAKEN

2. Our company provided updated staff diversity training to all employees and volunteers, including an overview of our company policies and procedures with respect to non-discrimination based on honorably discharged veteran and military status.

Yes                      No                      ACTION TAKEN

3. Our company provided updated staff with a revised policy and procedure manual, including information about our policies regarding non-discrimination based on honorably discharged veteran and military status.

Yes                      No                      ACTION TAKEN

4. Our company developed a timetable with milestones to address or revise our Company's non-discrimination policy, including non-discrimination based on honorably discharged veteran and military status.

Yes                      No                      ACTION TAKEN

## MONITOR INTERNAL COMPLIANCE

1. Our company tracks complaints of discrimination.

Yes                      No                      ACTION TAKEN

2. Our company handles all complaints of discrimination promptly and fairly.

Yes                      No                      ACTION TAKEN

3. Our company monitors implementation of the action plan.

Yes                      No                      ACTION TAKEN

4. Our company has explicit policies that allow employees to make complaints without fear of retaliation. In addition, the employee can go outside his or her chain of command to make complaints in order to feel more secure.

Yes                      No                      ACTION TAKEN

## EVALUATE SUCCESS

1. Our employees, from senior management to new hires, are made aware of and agree to adhere to our non-discrimination policy that includes honorably discharged veteran and military status.

Yes                      No                      ACTION TAKEN

2. Since implementing this plan, our company feels better able to handle any challenges, claims of discrimination, or concerns regarding the honorably discharged veteran and military status of our employees, volunteers, and clients.

Yes                      No                      ACTION TAKEN

3. Our company has received few internal complaints of discrimination based on honorably discharged veteran and military status.

Yes                      No                      ACTION TAKEN

4. When complaints arise, employees have several avenues of redress, including accessing support through the Employee Assistance Program.

Yes                      No                      ACTION TAKEN

END