

**WASHINGTON STATE HUMAN RIGHTS COMMISSION  
COMMISSION MEETING MINUTES  
FEBRUARY 28, 2019 AT 9:30AM  
711 S. CAPITOL WAY, SUITE 402  
OLYMPIA, WA 98504**

**ATTENDANCE**

**Commissioners:** Charlene Strong, Skylee Sahlstrom, Guadalupe Gamboa and Deborah Cook.

**Staff:** Sharon Ortiz, Executive Director; Cheryl Strobert, Deputy Director; Sharon James, Assistant Attorney General; Susan DanPullo, Assistant Attorney General; Laura Lindstrand, Policy Analyst; Deborah Gonzales, Commission Clerk.

**OPENING AND WELCOME**

Chair Strong chaired the meeting and called the meeting to order at 9:32 AM.

**EXECUTIVE SESSION**

The Commission moved into Executive Session. Pursuant to RCW. 42.30.110 (g), the Commission moved into closed session for the purpose of reviewing the performance of a public employee and was to reconvene on the record after approximately twenty minutes.

The Chair requested additional time of fifteen minutes to reconvene.

Executive Session began at 9:33AM and ended 10:10AM.

**LEGISLATIVE UPDATE**

Policy Analyst Laura Lindstrand was monitoring bills that would affect the work of the agency. Automated Systems is a bill that deals with computerized systems that screens employees. The bill ensures that such computerized systems do not have a discriminatory impact on the hiring or firing of employees. Usually that is something the agency would already cover.

Another bill was presented that would protect military spouses primarily in employment and housing. RCW 49.60 already protects military status and veteran status, but this is geared toward their spouses. Some employers may be reluctant to hire a military spouse if they know they will have to move again. It was also stated that the proposed legislation establishing the Washington State LGBTQ Commission will likely successfully pass through the legislature.

There is a bill prohibiting discrimination based on citizenship and immigration status, and it seems it will be likely pass. It is somewhat already covered under national origin, so it will not impact the agency quite as much. Another bill that was proposed raises certain concerns. It deals with off-duty conduct of an employee if the employee has participated in a lawful activity or exercised their constitutional right of free speech or assembly. The bill language is written broadly. This covers any legal activity a person does in their personal life, and their employer

would not be able to fire them for it. An example would be jobs requiring the applicant be a non-smoker. There are exceptions for non-profits. It takes away from Washington being an At-Will Employment state.

There is also Senate Bill 5258 that deals with sexual harassment and assault of isolated workers. It seems to be geared towards workers in the hotel and security industries. It would require the employer protecting their employees by providing them with an alarm, and having policy and procedures in place to report sexual harassment. However, there is no enforcement mechanism, and they did not include farm workers. The personal care-giver bill would fall under RCW 49.60. It would give caregivers of persons with disabilities equal access to places of public accommodation for free. There is no definition of a caregiver is and no limitation placed on admittance fees.

Commissioner Sahlstrom expressed concerns regarding reports of the disparate impact when it comes to evictions for women and people of color. She requested the Commission should monitor the Residential Landlord Tenant Act more closely, and Lindstrand agreed to follow up on the bill for future update.

#### **MEETING MINUTES:**

The January 24, 2019 Minutes were approved. Commissioner Cook motioned to approve the minutes. Commissioner Gamboa seconded the motion.

#### **CASE CLOSURES**

Director Ortiz made a grammar correction to a case before the meeting:

Clayton-Hebert, Myajia v Brotman Early Learning

Chair Strong made a motion to approve the cases for closure; Commissioner Gamboa seconded the motion and the motion was carried.

#### **EXECUTIVE REPORT**

Executive Director Ortiz has been making appointments to meet with members of the legislature. She is hoping to further discuss the agency's budget, but it may be difficult to secure additional funding. House Bill 1732, a Hate Crime statute, changed the language from 'malicious mischief' to 'hate crime', and also requires a task force to study what is going on in the state.

The agency is recruiting for investigators and a new customer service representative.

Deputy Director Strobert attended the Diversity Equity & Inclusion Summit on January 31, 2019 in SeaTac which was very well attended.

## **COMMISSIONER UPDATES**

Commissioner Gamboa has his confirmation hearing on March 19<sup>th</sup> at 10:00AM.

Commissioner Cook is still awaiting a time for her confirmation hearing.

Commissioner Sahlstrom has her confirmation hearing on March 25<sup>th</sup> at 10:00AM.

## **AAG UPDATES:**

Assistant Attorney General James has been also following legislation that is coming through that would affect the commission. She is also working on reviewing the public records policy of the agency.

AAG Colleen Melody wanted to report that the Attorney General's Office filed an amended complaint with the Office of Administrative Hearings and the Washington State Human Rights Commission on the Finley v Smith case. It is a housing discrimination case. It alleges discrimination on the basis of race against Finley who is a Native American and her family members are African-American and biracial by landlords renting a duplex in Spokane. A trial date has not been set, but they have a scheduling conference on March 6<sup>th</sup>.

## **2019 COMMISSION MEETING SCHEDULE**

March 28, 2019:	Via Conference Call at 9:30AM
April 25, 2019:	Walla Walla, WA at 9:30AM
May 23, 2019:	Seattle, WA at 9:30AM
June 27, 2019:	Via Conference Call at 9:30AM

## **ADJOURN**

There being no further business, the meeting adjourned at 11:01 AM.

Respectfully submitted by,  
Deborah Gonzales