

**WASHINGTON STATE HUMAN RIGHTS COMMISSION
COMMISSION MEETING MINUTES
MAY 23, 2019 AT 9:30AM
810 – 3RD AVENUE
SEATTLE, WA**

ATTENDANCE

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

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

OPENING AND WELCOME

Chair Strong chaired the meeting and called the meeting to order at 9:35AM.

Break: 10:35-10:45AM

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.

Executive Session began at 9:36AM and ended 9:57AM.

MEETING MINUTES:

The April 25, 2019 Minutes were approved. Commissioner Hackney motioned to approve the minutes. Commissioner Gamboa seconded the motion.

CASE CLOSURES

Director Ortiz referred to corrections to the following cases during the meeting:

Quiroz, Lucila v Blue Bird Orchards
Cabarteja, Porfirio v KLB Construction Co.
Lambert, Maggie v Washington State Lottery
Cauvel, Collin v Providence Health Services

The following cases were pulled prior to the meeting:

West, Alvina v Lake Union Sea Ray
Conesa, Patrick v WA ST Dept. of Correction
DeGarmo, Rachael v Skookum

Commissioner Sahlstrom made a motion to approve the cases for closure; Commissioner Hackney seconded the motion and the motion was carried.

EXECUTIVE REPORT

Director Ortiz provided a legislative update. I-1000 partially passed and signed by the Governor. It brings back affirmative action and creates a task force to study equity, and she will be a part of that task force. Funding for the equity office was not included. House Bill 1732-S, which renamed malicious harassment to hate crime was looked upon favorably by the Commission.

Senate Bill 5258 deals with isolated workers and panic buttons, but it excluded agricultural workers. There was a discussion with SEIU, and it was explained that the bill was aimed at protecting hotel workers and custodians working in isolated areas of buildings.

On March 4th, she and Commissioner Gamboa met with the Attorney General's Civil Rights Unit regarding H2A workers. More recently, there was a bill that established a department in Employment Security to oversee matters regarding H2A workers. They are expecting 30,000 H2A workers this year alone. She and Commissioner Cook are planning outreach opportunities in the upcoming months.

She has also been working with La Rond Baker with the Civil Rights Unit in the Attorney General's office on formulating a declaration regarding the transgender military ban. Washington State is suing Donald J. Trump, and statistical data is being collected from the agency for her declaration. The declaration is about the state of Washington and transgender rights.

COMMISSION POLICIES

Review of policies will be postponed until the July commission meeting. Recommendations will be included with the policies.

LEGISLATIVE UPDATE

Policy Laura Lindstrand provided the commissioners with additional legislative updates that will affect the work that the agency does. Substitute House Bill 1049, which makes changes to healthcare facilities whistleblower laws. The changes provide non-employee whistleblowers with a private right of action. It also adds to the types of facilities that are covered under the healthcare facility whistleblower act. It clarifies retaliatory actions can also come from your co-workers, as well as from managers and supervisors. This could increase the number of complaints.

Discrimination based on citizenship and immigration status did not make it to the floor to be voted on. The agency does cover this under the protected class of national origin, so it does not have an impact that it did not pass.

To touch more on Senate Bill 5258, there was no enforcement mechanism in the bill. However, it does outline what employers should do for isolated workers.

Substitute Senate Bill 5602, which eliminates barriers to reproductive healthcare based on a person's transgender status. This will be a new piece to the agency's insurance enforcement.

RULE MAKING - ACCESSIBLE PRESCRIPTION LABELING

Policy Analyst Laura Lindstrand explained the rule making process to the commissioners in order to provide accessible prescription labeling. The rule that would be in question falls under WAC 162-26-060 that covers reasonable accommodation in places of public accommodation. Part II of the rule references types of reasonable accommodations that are recommended. The list of accommodations includes providing sign language interpreters and making printed materials available in alternate formats. The issues of accessible prescription labeling may already be broadly covered under this WAC. However, if something more specific is needed, then rule making will be necessary.

COMMISSIONER UPDATES

Commissioner Gamboa attended a meeting held by the United Farmworkers in Pasco regarding sexual harassment. Bill Tamayo was the guest speaker. He is the San Francisco District Director of the Equal Employment Opportunity Commission. The presentation included discussions of horrendous cases involving sexual harassment where victims were afraid to come forward.

Commissioner Hackney is on the board for the King County NAACP. They held a housing rights seminar and he distributed information about our agency. He explained our agency's role in preventing housing discrimination. The NAACP requested to collaborate with the agency to create an outreach opportunity.

AAG UPDATES

The Attorney General's office coordinated assistance for attorneys who represent agencies that may be affected by the I-1000 bill.

2019 COMMISSION MEETING SCHEDULE

June 27, 2019:	Via Conference Call at 9:30AM
July 25, 2019:	711 S. Capital Way, Suite 402, Olympia, WA 98504
August 22, 2019:	TBD
September 26, 2019:	TBD

ADJOURN

There being no further business, the meeting adjourned at 11:45AM.

Respectfully submitted by,
Deborah Gonzales