

Improving Employment Protections for Survivors of Domestic Violence, Sexual Assault and Stalking

HB 2661

The Issue

To get safe and stay safe, survivors of domestic violence, sexual assault, and stalking must be able to financially support themselves and their families.

Washington State has been a leader in passing laws to help survivors achieve economic independence and security. These steps include:

- In 2008, we passed a law guaranteeing that survivors can take reasonable unpaid leave from work to help themselves and their family members get safe, to participate in legal proceedings, and to receive medical treatment and other services to address domestic violence, sexual assault, and stalking.
- In 2016, Washington voters approved Initiative 1433, which included provisions that allow survivors to earn paid “safe time” to use if they need to take time from work due to domestic violence, sexual assault, or stalking.

But despite this progress, we need to do more. Current law doesn’t require employers to make any kind of safety accommodations at work, however small, for survivors of domestic violence, sexual assault, or stalking.

Survivors continue to report being fired from their jobs or suffering other negative consequences at work when their employers learn that they are victims of domestic violence, sexual assault, or stalking. Our current laws in Washington do not make it explicitly clear that survivors are protected from this kind of discrimination.

The Need

Some examples that have been reported to Legal Voice in recent years include:

- A server at a restaurant was fired after she told her employer that she had obtained a domestic violence protection order against her abuser. The employer told her they “couldn’t have that around here.”
- An employee for a city’s parks department told her supervisor that she had received a call at work from her abusive ex-partner. She was sent home and was not permitted to return to work until over a month later, after a lawyer advocated on her behalf.
- A child care worker told her employer she was being stalked. The employer responded by threatening to fire her.

How would HB 2661 address these problems?

HB 2661 would make it clear that Washington workers cannot be fired, denied employment, or subjected to other forms of employment discrimination because they are victims of domestic violence, sexual assault, or stalking. It would also require employers to grant requests for reasonable safety accommodations requested by survivors of domestic violence, sexual assault, or stalking, as long as such accommodations are not an undue hardship on the employer.

How would this help?

Clarifying the law would help survivors keep and find work so they can be economically independent and secure, and help employers understand the law to better ensure their employees’ safety at work.

Have other states passed similar laws?

Yes, including Oregon, California, Hawaii, Illinois, Connecticut, and Delaware. In particular, HB 2661 is closely modeled on Oregon’s law.