

COMPLAINT PROCESS

Everyone has an obligation to comply with the law and a right to seek redress for alleged violations. Employment Discrimination Complaints must be filed within 6 months of the date of the alleged harm. Investigations are conducted to determine whether there is reasonable cause to believe that a violation of the law has occurred and to take action to correct discriminatory practices or policies. To obtain additional information about the complaint process, visit our website or contact our office.

WASHINGTON STATE HUMAN RIGHTS COMMISSION

OLYMPIA HEADQUARTERS

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360-753-6770

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312 SE Stonemill Dr., Bldg 120
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EAST WENATCHEE

519 Grant Rd
East Wenatchee, WA 98802

WEBSITE: www.hum.wa.gov

TOLL FREE: 1-800-233-3247

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Se Habla Español

Please let us know if you need an interpreter or reasonable accommodation.

EMPLOYMENT DISCRIMINATION



WASHINGTON STATE HUMAN RIGHTS COMMISSION

Established in 1949 by the Washington State Legislature, the Washington State Human Rights Commission administers and enforces the Washington State Law Against Discrimination, Chapter 49.60 RCW

The Mission of the Washington State Human Rights Commission is to prevent and eliminate discrimination through the fair application of the law, the efficient use of resources, and the establishment of productive partnerships in the community.

Established in 1949 by the Washington State Legislature, the Washington State Human Rights Commission (WSHRC) is responsible for administering and enforcing the Washington Law Against Discrimination (WLAD), Chapter 49.60 of the Revised Code of Washington (RCW).



The agency works to prevent and eliminate discrimination through complaint investigation, alternative dispute resolution, and education, training and outreach activities.

WHAT IS EMPLOYMENT DISCRIMINATION?

Discriminatory practices in employment on the basis of any protected class are unlawful. Employment discrimination occurs when an individual is treated unfairly *because of* the person's protected class status.

Protected Classes in Employment include:

- Race/Color;
- National Origin;
- Creed;
- Sex/Pregnancy;
- Sexual Orientation/Gender Identity
- Veteran/Military Status
- The presence of any sensory, mental or physical Disability-Actual or Perceived;
- Use of a Service Animal;
- HIV or Hepatitis C;
- Marital Status;
- Age (40+);
- State Employee Whistleblower Status

It is also **unlawful to retaliate** against any individual who files or participates in a discrimination complaint.

Illegal discrimination may occur during the employment application process through unfair pre-employment inquiries, or during employment while on the job. The ways in which employment discrimination may occur include: disparate treatment, where an individual is treated differently or unfairly compared to similarly situated coworkers in the workplace who are outside of the individual's protected class; disparate impact, in which the employer may have a policy or practice that

appears neutral, but which results in unfair treatment to an entire group of individuals based on their common protected class; harassment/hostile work environment, in which working conditions are so intolerable because of the employee's protected class that a reasonable person in the employee's place would have felt compelled to resign; failure to accommodate a disability or religious belief; or retaliation for complaining about discrimination



Employment Discrimination is regulated by both state and federal laws, and the court system through litigation, which produces case law that interprets and applies the laws to fact-specific situations. Washington State Employment Discrimination Laws are found RCW 49.60; Title 162 Washington Administrative Code (WAC); and case law. Federal employment discrimination laws include: Title VII of the Civil Rights Act of 1964; Title I of the Americans with Disabilities Act; Age Discrimination in Employment Act of 1967 (ADEA); Equal Pay Act of 1963 (EPA); Genetic Information Non Discrimination Act (GINA); Lilly Ledbetter Fair Pay Act; and case law.

FILING A COMPLAINT

Under RCW 49.60, employment discrimination complaints must be filed with the WSHRC within 6 months of the date of the alleged harm. The statute of limitations is 2 years from the date of the alleged harm for individuals who are filing a complaint based on state employee whistleblower status.

The WSHRC has **no jurisdiction** over employers with fewer than 8 employees, Native American tribes, the federal government, religious employers, or claims outside of Washington State.



FAIR APPLICATION OF THE LAW

The Washington State Human Rights Commission is a neutral, fact-finding law enforcement agency; it does not act as an advocate for any party during an investigation, but advocates for the law in the interest of preventing and eliminating discrimination.

