

July 9, 1990
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Cynthia Sullivan
Introduced by: Ron Sims

Proposed No.: 90-411

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ORDINANCE NO. _____

AN ORDINANCE relating to fair employment practices, prohibiting employers from requiring persons to speak only in English in the workplace unless justified by business necessity, amending Ordinance No. 7430, Section 3 and 12.18.030.

PREAMBLE:

The King County council hereby finds and declares that prohibiting any person from speaking in a language other than English as a condition of employment is discriminatory and contrary to the public welfare, health, peace and safety of the residents of King County when use of such language does not constitute a barrier to effective communication, does not interfere with the normal discharge of work duties, or when the employee is not serving members of the general public.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 7430, Section 3 and K.C.C. 12.18.030

is hereby amended to read as follows:

Unfair employment practices prohibited. It is an unfair employment practice for any:

A. employer or labor organization to discriminate against any person with respect to referral, hiring, tenure, promotion, terms, conditions, wages or other privileges or employment;

B. employment agency or labor organization to discriminate against any person with respect to membership rights and privileges, admission to or participation in any guidance program, apprenticeship training program, or other occupational training program;

C. employer, employment agency, or labor organization to print, circulate, or cause to be printed, published, or circulated, any statement, advertisement, or publication relating to employment or membership, or to use any form of application therefor, which indicates any discrimination unless based upon a bona fide occupational qualification;

1 D. employment agency to discriminate against any person
2 with respect to any reference for employment or assignment to a
3 particular job classification;

4 E. employer, employment agency or a labor organization to
5 retaliate against any person because that person has opposed
6 any practice forbidden by this chapter or because that person
7 has made a charge, testified or assisted in any manner in any
8 investigation, proceeding or hearing initiated under the
9 provisions of this chapter;

10 F. publisher, firm, corporation, organization or
11 association printing, publishing or circulating any newspaper,
12 magazine or other written publication to print or cause to be
13 printed or circulated any advertisement with knowledge that the
14 same is in violation of K.C.C. 12.18.030 C., or to segregate
15 and separately designate advertisements as applying only to men
16 or women unless such discrimination is reasonably necessary to
17 the normal operation of the particular business, enterprise or
18 employment, unless based upon a bona fide occupational
19 qualification((=));

20 G. employer to prohibit any person from speaking in a
21 language other than English in the workplace unless:

22 1. the employer can show that requiring employees speak
23 only English at certain times is justified by business
24 necessity, and

25 2. the employer informs employees of the requirement
26 and the consequences of violating the rule.

1 NEW SECTION. SECTION 2. King County shall include the
2 requirement to comply with Ordinance 7430, as amended, in all
3 contracts and agreements with recipients of grants and other
4 funds through or from King County and with organizations which
5 use King County buildings, facilities or property or which use
6 property for which King County is responsible for capital
7 improvements.

8 INTRODUCED AND READ for the first time this 7th
9 day of May, 1990.

10 PASSED this 4th day of September, 1990.

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KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

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Lois North
Chair

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ATTEST:

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Gerald A. Peter
Clerk of the Council

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APPROVED this 14th day of September, 1990

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Rachel Zuck
for King County Executive