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Workplace Harassment Reforms Pass *Employees to Have Stronger Protection from Sexual Harassment*

Silver Spring, Md., April 4, 2019 — The Maryland General Assembly has passed comprehensive legislation to help address workplace harassment. House Bill 679 and Senate Bill 872 were sponsored by the presiding officers, Speaker Michael Busch and President Mike Miller, and introduced at the request of the General Assembly’s Workplace Harassment Commission. The Commission was established in January 2018 and charged with reviewing existing state anti-harassment policies. A final report was issued last fall and recommendations included the statutory changes passed last night.

The legislation contains major legal reforms that will help victims of sexual harassment and other forms of discrimination. Lisae C Jordan, Executive Director of the Maryland Coalition Against Sexual Assault and a member of the General Assembly’s Workplace Harassment Commission commented, “This will be tremendous progress for the women and men in Maryland. It builds on the State’s current policies and will help make our workplaces safer and more productive by preventing harassment and strengthening access to remedies when harassment occurs.” The bill goes next to the Governor who can sign it into law, permit it to become law without his signature, or veto the bill.

The legal changes include:

Expansion of Workers Protected

- Protections from harassment will be expanded to all employers, including those with as few as one employee. In a state with a significant number of small businesses, this makes it clear that harassment is not tolerated at any workplace.
- Personal staff of elected officials will be provided with protection under discrimination laws.
- Independent contractors were added to the types of workers provided with protection, an especially important step in the era of the gig economy.
- Within the General Assembly, bill provisions help enforce anti-harassment policies against a wider range of workers, including those who have access to the State Legislative Complex but who are not employees or registered lobbyists.

Longer Time to Seek Remedies

- The Workplace Harassment Commission bill expands the time that victims of harassment have to file for remedies, providing 2 years to file a complaint with a local human relations commission and 3 years to file a lawsuit. Many victims are not able to file in within the current 300 day time-frame.

Employer Liability

- Employer liability is expanded to include discrimination and harassment by co-workers who have the authority to affect an employee's workplace through direction, supervision, evaluation, but do not have the authority to hire and fire a victim.
- Remedies against co-workers who commit harassment were also expanded.

The Maryland Coalition Against Sexual Assault (MCASA) helped advocate for the legislation. MCASA is the coalition of Maryland's rape crisis centers, survivors, and advocates devoted to ending sexual violence in Maryland, www.mcasa.org.

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