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Act No. 183 (H.707). Labor; employment practices; sexual harassment

An act relating to the prevention of sexual harassment

This act makes numerous changes to Vermont's laws related to sexual harassment, including:

- requiring that a working relationship with a person hired to perform work or services be free from sexual harassment;
- prohibiting employment contracts from containing provisions that prevent an employee from disclosing sexual harassment or waive an employee's rights or remedies with respect to a claim of sexual harassment;
- prohibiting agreements to settle a claim of sexual harassment from including provisions that prevent an employee from working for the employer or an affiliate of the employer in the future;
- requiring an agreement to settle a claim of sexual harassment to state that it does not prevent the employee from reporting sexual harassment to an appropriate governmental agency, complying with a discovery request or testifying at a hearing or trial related to a claim of sexual harassment, or exercising his or her right under State or federal labor law to engage in concerted activity for mutual aid and protection; and
- permitting the Attorney General or Human Rights Commission to inspect a place of business or employment for purposes of determining whether the employer is complying with the law related to sexual harassment.

In addition, the act requires the Attorney General and Human Rights Commission to develop enhanced mechanisms for reporting instances of sexual harassment or workplace discrimination, directs the Vermont Commission on Women to develop education and outreach materials regarding the laws related to and best practices for preventing sexual harassment, and requires a person who files a civil action related to a claim of sexual harassment under Vermont law to provide notice of the action to the Attorney General or Human Rights Commission.

Multiple effective dates, beginning on May 28, 2018