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STATE OF VERMONT  
OFFICE OF THE ATTORNEY GENERAL

109 STATE STREET

MONTPELIER, VT  
05609-1001

MEMO TO THE BAR

To: Members of the Vermont Bar

From: Office of the Attorney General of Vermont  
T.J. Donovan, Vermont Attorney General

Date: June 25, 2018

Re: Requirement under Act 183 to Submit Sexual Harassment Complaints Filed Pursuant to  
21 V.S.A. sec. 495b to Vermont Attorney General and Human Rights Commission  
(effective July 1, 2018)

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**Summary of Notice Requirement**

On May 28, 2018, Vermont Governor Phil Scott signed into law Act 183, *An Act Relating to Sexual Harassment*. **Act 183 goes into effect July 1, 2018.**

The law includes a new statutory section, 21 V.S.A. § 495n. Section 495n requires that any person who files a court action involving claims of sexual harassment pursuant to 21 V.S.A. § 495b provide notice of the action to the Attorney General and the Human Rights Commission.

Upon receipt of any complaint filed pursuant to Section 495n, the Attorney General or the Human Rights Commission may elect to intervene in the action to seek remedies pursuant to 21 V.S.A. § 495b, or, without becoming a party to the action, file a statement with the court addressing questions of law.

The full text of 21 V.S.A. § 495n is attached hereto.

**Procedure for Submitting Complaints to Attorney General or Human Rights Commission**

Effective July 1, 2018, if a party files a court complaint (including counterclaims) pursuant to 21 V.S.A. § 495b alleging sexual harassment, the party filing the complaint must provide the Vermont Attorney General or the Human Rights Commission with:

- (1) notice of the complaint **and**
- (2) submit a copy of the complaint, as filed with the court.

***The notice and complaint must be provided within fourteen (14) days of filing with the court.***

The notice and complaint may be provided electronically or via regular mail, as follows:

*If the complaint is filed against the State of Vermont:*

Vermont Human Rights Commission  
14-16 Baldwin Street  
Montpelier, Vermont 05633-6301  
[human.rights@vermont.gov](mailto:human.rights@vermont.gov)  
(800) 416-2010 (toll free in Vermont), or (802) 828-1625

*If the complaint is filed against any other entity (including all private employers):*

Vermont Office of the Attorney General, Civil Rights Unit  
109 State Street  
Montpelier, Vermont 05609-1001  
[ago.civilrights@vermont.gov](mailto:ago.civilrights@vermont.gov)  
(888) 745-9195 (toll free in Vermont) or (802) 828-3657

**For more information regarding the new filing requirement, please contact:**

Emily Chamberlain Adams, Assistant Attorney General, Civil Rights Unit  
(802) 828-3177, [emily.adams@vermont.gov](mailto:emily.adams@vermont.gov)

Jocelyn Bolduc, Executive Staff Assistant/Case Manager, Vermont Human Rights Commission  
(802) 828- 1625, [jocelyn.bolduc@vermont.gov](mailto:jocelyn.bolduc@vermont.gov)

§ 495n. SEXUAL HARASSMENT COMPLAINTS; NOTICE TO ATTORNEY GENERAL AND HUMAN RIGHTS COMMISSION

(a) A person that files a claim of sexual harassment pursuant to section 495b of this subchapter in which neither the Attorney General nor the Human Rights Commission is a party shall provide notice of the action to the Attorney General and the Human Rights Commission within 14 days after filing the complaint. The notice may be submitted electronically and shall include a copy of the filed complaint.

(b)(1) Upon receiving notice of a complaint in which the State is a party, the Human Rights Commission may elect to:

(A) intervene in the action to seek remedies pursuant to section 495b of this subchapter; or

(B) without becoming a party to the action, file a statement with the court addressing questions of law related to the provisions of this subchapter.

(2) Upon receiving notice of a complaint in which the State is not a party, the Attorney General may elect to:

(A) intervene in the action to seek remedies pursuant to section 495b of this subchapter; or

(B) without becoming a party to the action, file a statement with the court addressing questions of law related to the provisions of this subchapter.