

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to
3 which was referred Senate Bill No. 83 entitled “An act relating to prohibiting
4 agreements that prevent an employee from working for the employer following
5 the settlement of a discrimination claim” respectfully reports that it has
6 considered the same and recommends that the bill be amended by striking out
7 all after the enacting clause and inserting in lieu thereof the following:

8 Sec. 1. 21 V.S.A. § 495 is amended to read:

9 § 495. UNLAWFUL EMPLOYMENT PRACTICE

10 (a) It shall be unlawful employment practice, except where a bona fide
11 occupational qualification requires persons of a particular race, color, religion,
12 national origin, sex, sexual orientation, gender identity, ancestry, place of
13 birth, age, crime victim status, or physical or mental condition:

14 * * *

15 (i) An employer shall not require as a term or condition of an agreement to
16 settle a claim of a violation of subsection (a) of this section a clause that
17 prohibits, prevents, or otherwise restricts the employee from working for the
18 employer or any parent company, subsidiary, division, or affiliate of the
19 employer. Any provision of an agreement to settle a claim of a violation of
20 subsection (a) of this section that violates this subsection shall be void and
21 unenforceable with respect to the individual who made the claim.

