

May 2, 2022

Re: H. 729 an act relating to miscellaneous judiciary procedures, to include the provision in H. 329 that relates to statute of limitations.

Dear Chair Grad, Vice Chair Burditt, and Members of the House Committee on Judiciary,

My name is Lynn Stanley, and I am the Executive Director of the Vermont Chapter of the National Association of Social Workers (NASW). I am writing to express our support for amending H. 729, an act relating to miscellaneous judiciary procedures, to include the provision in H. 329 that relates to statute of limitations.

One of the concerns with the current limit on the statute of limitations is that it does not allow enough time for the investigative process to occur. Many agencies are experiencing a backlog of cases that limit their ability to address claims within the current timeframe.

The other concern is the delay often seen when reporting discrimination. Many employees feel that they do not have the ability to file a complaint due to financial constraints that would be imposed if they lost their job. Retaliation is a valid concern, with 55.8% of workplace discrimination charges filed with the EEOC being retaliation claims. Other reasons that employees give for not initially reporting claims include lack of redress, fear of not being seen as a team player, and the emotional toll of having to relive the incident. For many, it takes time for them to be in a place where they feel safe emotionally and financially to report the incidence.

As the largest group of providers for mental health services in the United States, social workers appreciate the nuances involved when an individual experiences discrimination. Feelings of embarrassment, shame, loss of self-worth, perceived stigma of being a “victim” and fear, often result in a delay in reporting incidences of discrimination.

NASW hopes that your committee also appreciated the challenges that these victims face, and vote to increase the statute of limitations for reporting discriminatory practices.

Respectfully submitted,

Lynn Stanley, LICSW
Executive Director
NASW VT