



## Memorandum

**To: Senate Economic Development, Housing and General Affairs Committee  
Representatives Tom Stevens and Tiffany Bluemle**

**From: Sarah Robinson, Deputy Director  
Vermont Network Against Domestic and Sexual Violence**

**Date: April 29, 2022**

**Re: Follow up – H.320 Testimony today**

We had the opportunity to listen in on the hearing today related to H.320 and would like to offer the following comments to H.320 as it relates to the proposed amendment to add H.329, as well as some comments related to the underlying bill.

### H.329

H.329 has 3 areas of legislation in need of vehicles to move forward – employment, housing, and statutes of limitations. The housing provisions have been added to the House version of S.226. The statutes of limitations provisions have been added to the Senate Judiciary amendment to H.729. **The only provisions remaining that need a vehicle are the employment provisions (Secs. 1 and 2 of H.329).** **We see H.320 as the only truly viable option for the employment provisions.**

We agree with the comments made by attorney Richard Cassidy in committee today related to the bar being too high to prove harassment/discrimination cases. Our argument all along, supported by the House General, Housing, and Military Affairs Committee, is that the severe and pervasive standard makes even the most meritorious cases beyond the reach of claimants. At the end of the hearing, attorney Cassidy advocated for changing that standard, which is exactly what Secs. 1 and 2 of H.329 accomplish.

### H.320

In Richard Cassidy's testimony today, he stated that, by the time harassment/discrimination claims are brought forth, most employment relationships have been severed. In our experience, that is not the case. In the House, there was testimony from employees who sought to stay with their employer but wanted the discriminatory behavior to stop. It is also important to note that clauses that would delay re-employment with the company in 3-5 years can pose an insurmountable burden on an employee who likely cannot wait 3-5 years in order to work, especially in specialized industries in a small state like Vermont.

Thank you for your consideration of our request.