

**Testimony of Andrea Johnson, Senior Counsel for State Policy and Ramya Sekaran,
Justice Catalyst Fellow, National Women's Law Center
In SUPPORT of SB872/HB679 before the Maryland Senate Finance Committee
March 19, 2019**

Thank you for the opportunity to submit this testimony on behalf of the National Women's Law Center. And thank you President Miller and the many members of this Committee who, earlier this year, committed to making Maryland part of the effort to strengthen protections against harassment in "20 States by 2020." This bill helps support that effort.

Many of the provisions contained in this bill are protections that have been enacted in other states and cities, some very recently in response to the MeToo movement highlighting the many ways in which our laws have been inadequate to stop and prevent workplace harassment.

For example, anti-harassment laws in Alaska, Arizona, California, Colorado, the District of Columbia, Hawaii, Illinois, Maine, Michigan, Minnesota, Montana, New Jersey, New York, North Dakota, Oklahoma, Oregon, South Dakota, Vermont, and Wisconsin cover employers with one or more employees, and in 2018, New York City amended its Human Rights Law to extend gender-based harassment provisions to all employers, regardless of the number of employees.

In several states the deadline for filing a harassment claim in court is three years or longer, including Kentucky (5 years), Michigan (3 years), Ohio (6 years), Vermont (3 or 6 years depending on relief sought), and Washington (3 years). In 2018, New York City extended the deadline for filing claims of gender-based harassment with the New York City Commission on Human Rights from one year to within three years after the alleged harassing conduct occurred.

Anti-harassment laws in California, Washington, and New York City all cover independent contractors and in 2018, New York and Vermont enacted legislation extending anti-sexual harassment protections to independent contractors.

In 2018, Delaware passed legislation to allow an employer to be held liable not just for harassment by supervisors who have the authority to hire, fire, or take other tangible employment actions, but also supervisors who direct an employee's daily work activities. Courts in New Jersey, Illinois, and Massachusetts have similarly interpreted their state anti-discrimination laws to hold employers liable for harassment by supervisors with supervisory responsibilities, even if they do not have the authority to hire, fire, or take other tangible employment actions.

We urge Maryland to join these states and enact these important protections into law.