



NEW YORK STATE SENATOR

Andrew Gounardes

Senator Andrew Gounardes and Assemblymember Catalina Cruz Unveil Do Not Darken My Doorstep Anti-Harassment Legislation

ANDREW GOUNARDES March 10, 2020

| ISSUE: **SEXUAL HARASSMENT LEGISLATION**

Albany, NY - Senator Gounardes and Assemblymember Catalina Cruz today announced the Do Not Darken My Doorstep bill (S7819/A9993), one of a series of anti-harassment bills introduced in the state legislature that build on last year's landmark anti-harassment reforms. This bill bars employers from using "no rehire" clauses in settlement agreements with employees or independent contract workers, which would ban employees who settle discrimination or harassment cases from ever working for their employer again.

"No rehire" clauses have been widely known to disincentivize victims from coming forward when they experience harassment or discrimination. By including this clause within settlements, employers are forcing an undue burden on employees who have experienced harassment. Especially when they apply to large multinational corporations or companies following mergers and acquisitions, these clauses can have the effect of banning employees who have been harassed from entire industries.

"Instead of silencing their voices and rights, New York State needs to empower those who have experienced harassment and discrimination. By banning 'Do Not Darken My Doorstep' clauses, my hope is that more people who have been harassed can come forward and report the injustices that have been done to them without the fear of future employment being a

factor,” said **State Senator Gounardes**.

"Survivors of workplace harassment and discrimination are often re-traumatized and re-victimized when they are unable to obtain gainful employment in their field due to 'No Rehire' or 'Do Not Darken My Doorstep' clauses. I am proud to introduce legislation this session that would ban these clauses, which purposefully seek to intimidate employees from filing complaints against their employers, out of fear that they will not be rehired. These employees should not face retaliation and targeting for bravely coming forward and exposing wrongdoing in their workplace,” said **Assemblymember Catalina Cruz**.

Leah Hebert of the Sexual Harassment Working Group said, "Workers should not have to choose between moving on with their lives and being able to work where they're qualified. Employers often punish harassment victims by including 'no-rehire' clauses in settlement agreements. The victim is then stuck with an impossible choice: being compensated for their harm, or being able to work again. New Yorkers need this essential bill and I am so thankful for the leadership of Senator Gounardes and Assemblymember Cruz in protecting workers statewide."

“ ‘Do not Darken my Door’ clauses effectively punish employees who wish to settle their discrimination and retaliation claims. These clauses limit the employment options of individuals who have often already suffered serious economic hardship as a result of the unlawful actions of their employers. NELA /NY strongly supports this bill, which would allow survivors of unlawful discrimination and retaliation to move on with their lives unencumbered by these unfair restrictions,” said **NELA/NY Legislative Chair Miriam Clark**.

RELATED LEGISLATION

2019-S7819

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to the resolution of certain claims by certain employees

February 25, 2020

In Senate Committee **Judiciary**

Sponsored by **Andrew Gounardes**

Do you support this bill?