

JAN 17 2020

A BILL FOR AN ACT

RELATING TO EMPLOYMENT PRACTICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 378, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§378- Sexual harassment or sexual assault;
5 nondisclosure agreements; prohibited. (a) No employer shall
6 require an employee to enter into, as a condition of employment,
7 a nondisclosure agreement that prevents the employee from
8 disclosing or discussing sexual harassment or sexual assault
9 occurring in the workplace, at work-related events, between
10 employees, or between an employer and an employee.

11 (b) No employer shall retaliate against an employee for
12 disclosing or discussing sexual harassment or sexual assault.

13 (c) This section shall not apply to:

14 (1) Human resources employees expected to maintain the
15 confidentiality of an investigation as part of their
16 official duties; and



1 (2) Employees requested to maintain the confidentiality of
2 an ongoing human resources investigation."

3 SECTION 2. New statutory material is underscored.

4 SECTION 3. This Act shall take effect upon its approval.

5

INTRODUCED BY: Anna Tuck

Lorraine R. Honeye

[Signature]

Michelle N. Sidani

Roselyn H. Baker

Anna Mercedes Kim

DKM

[Signature]

Clara M. Nicholson

[Signature]

Russ E. Red

[Signature]

Dawn L. [Signature]

[Signature]

Karl Rhoad

[Signature]

[Signature]

[Signature]

[Signature]



S.B. NO. 2313

Report Title:

Employment Practices; Sexual Harassment or Assault;
Nondisclosure Agreements; Prohibited

Description:

Prohibits an employer from requiring an employee to enter into a nondisclosure agreement pertaining to sexual harassment or sexual assault. Prohibits an employer from retaliating against an employee for disclosing or discussing sexual harassment or sexual assault.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

