



General Assembly

**Substitute Bill No. 697**

January Session, 2019



**AN ACT CONCERNING NONDISCLOSURE AGREEMENTS IN THE  
WORKPLACE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2019*) (a) An employer shall not  
2 enter into or negotiate a contract with an employee or prospective  
3 employee as a condition of employment, continued employment,  
4 promotion, compensation or benefit, if such contract contains a  
5 nondisclosure clause, nondisparagement clause, waiver or other  
6 provision that has the purpose or effect of preventing the employee  
7 from disclosing or discussing sexual harassment or sexual assault  
8 occurring in the workplace, at a work-related event coordinated by or  
9 through the employer or between employees, or between an employer  
10 and an employee, off the employment premises.

11 (b) An action to redress a violation of subsection (a) of this section  
12 may be maintained in any court of competent jurisdiction by any one  
13 or more employees or prospective employees.

14 (c) An employer who violates subsection (a) of this section may be  
15 found liable for compensatory damages, attorney's fees and costs,  
16 punitive damages and such legal and equitable relief as the court  
17 deems just and proper.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2019</i>	New section
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**Statement of Legislative Commissioners:**

"Section 1." was added for proper form.

**LAB**      *Joint Favorable Subst. -LCO*