



Working to end sexual violence in Maryland

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Testimony Supporting House Bill 126 with Friendly Amendment
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The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge the Judiciary Committee to report favorably on House Bill 126 with Amendment.

House Bill 126 – House Bill 126 establishes a mechanism in which employers may seek the civil protections of peace orders on behalf of their employees. The ability to obtain peace orders on behalf of employees, in certain circumstances, can be an effective tool for management in preventing workplace harassment, including sexual harassment.

Employers have a duty to provide their employees with a place of employment “free from recognized hazards that are causing or are likely to cause death or serious harm to . . . employees.” 29 U.S.C. § 654(a)(1). This includes workplace violence. By amending the current peace order statute to include employees in the definition of who is eligible for relief, employers will be able to take active steps to protect their staff, while preventing a respondent from retaliating against an individual employee who may have otherwise sought the protections.

HB126 can also be used to help survivors of intimate partner violence. Nearly 98% of employed domestic violence victims experienced problems at work related to the violence, with 67% saying the perpetrator came to the workplace¹. Employers cannot dismiss these issues by characterizing them as “family matters” or “issues best left to law enforcement”; rather, employers should develop comprehensive policies to address and accommodate the needs of victims, as well as how to maintain a safe workplace for all employees. Again, this bill could provide an effective tool for employers. MCASA also appreciates that employers are prohibited from retaliating against an employee who chooses not to cooperate with this type proceeding.

We respectfully suggest an amendment so courts may not order an employee-victim into counseling. This decision should be left to the employee in order to respect her or his autonomy.

**The Maryland Coalition Against Sexual Assault urges the
Judiciary Committee to
report favorably on House Bill 126 with Friendly Amendment**

¹ Ending Gender Based Violence in the World of Work in the United States, Robin Runge, The George Washington University Law School, [https://aflcio.org/sites/default/files/2017-04/Ending%20Gender%20Based%20Violence%20in%20the%20World%20of%20Work%20USA%20Report%20\(002\).pdf](https://aflcio.org/sites/default/files/2017-04/Ending%20Gender%20Based%20Violence%20in%20the%20World%20of%20Work%20USA%20Report%20(002).pdf)