

SB1010/697172/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1010
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “Labor and Employment – Sexual Harassment – Contractual Waivers and Reporting Requirements” and substitute “Disclosing Sexual Harassment in the Workplace Act of 2018”; in line 4, after “that” insert “, except as provided by federal law,”; in line 5, strike the comma; in line 6, strike “discrimination,”; in the same line, after “or” insert “certain”; in line 9, strike “report” and substitute “survey”; in line 10, after “year;” insert “requiring employers to submit a certain survey electronically; requiring the Commission to include a certain space in a certain survey for a certain purpose;”; and strike beginning with “on” in line 11 down through “reports;” in line 12 and substitute “certain information in a certain manner; requiring the Commission to take certain actions related to certain surveys and submit a certain executive summary to the Governor and certain committees of the General Assembly on or before a certain date each year;”.

AMENDMENT NO. 2

On page 2, in line 6, strike “**(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A**” and substitute “EXCEPT AS PROHIBITED BY FEDERAL LAW, A”; in line 7, strike “**FUTURE**”; in line 8, after “**CLAIM**” insert “THAT ACCRUES IN THE FUTURE”; in line 9, strike “, **DISCRIMINATION,**”; in the same line, after “**RETALIATION**” insert “FOR REPORTING OR ASSERTING A RIGHT OR REMEDY BASED ON SEXUAL HARASSMENT”; and strike in their entirety lines 11 and 12, inclusive.

On page 3, in line 10, after “**(B)**” insert “(1)”; in the same line, strike “**JANUARY**” and substitute “JULY”; in line 11, strike “**REPORT**” and substitute “SHORT SURVEY”; in lines 12, 14, and 17, strike “**(1)**”, “**(2)**”, and “**(3)**”, respectively, and substitute “(1)”,

(Over)

“(II)”, and “(III)”, respectively; in line 16, strike “20” and substitute “10”; after line 19, insert:

“(2) (I) AN EMPLOYER SHALL SUBMIT THE SURVEY REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE COMMISSION ELECTRONICALLY.

“(II) THE COMMISSION SHALL INCLUDE IN THE SURVEY A SPACE FOR AN EMPLOYER TO REPORT WHETHER THE EMPLOYER TOOK PERSONNEL ACTION AGAINST AN EMPLOYEE WHO WAS THE SUBJECT OF A SETTLEMENT INCLUDED IN THE SURVEY UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION.”;

in line 20, after “(C)” insert “(1)”; in line 21, after “PUBLIC” insert a colon; and strike beginning with “ON” in line 21 down through “SECTION.” in line 22 and substitute:

“(I) BY POSTING ON THE COMMISSION’S WEBSITE, THE AGGREGATE NUMBER OF RESPONSES FROM EMPLOYERS FOR EACH ITEM LISTED UNDER SUBSECTION (B) OF THIS SECTION; AND

“(II) BY RETAINING FOR PUBLIC INSPECTION ON REQUEST, THE RESPONSE FROM A SPECIFIC EMPLOYER REGARDING THE NUMBER OF SETTLEMENTS INCLUDED IN THE SURVEY UNDER SUBSECTION (B)(1)(II) OF THIS SECTION.

(2) ON OR BEFORE DECEMBER 15 EACH YEAR, THE COMMISSION SHALL:

(I) REVIEW A RANDOM SELECTION OF SURVEYS SUBMITTED UNDER SUBSECTION (B) OF THIS SECTION;

(II) CREATE AN EXECUTIVE SUMMARY OF THE RANDOMLY
SELECTED SURVEYS, REDACTING ANY IDENTIFYING INFORMATION FOR SPECIFIC
EMPLOYERS; AND

(III) SUBMIT THE EXECUTIVE SUMMARY TO THE GOVERNOR
AND, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE SENATE FINANCE
COMMITTEE AND THE HOUSE ECONOMIC MATTERS COMMITTEE.”