

Kimberly Chase on Legislative Proposals Born of the #MeToo Movement

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Haynes Boone Partner Kimberly Chase was quoted in *law.com*'s Labor of Law column and in *San Francisco Business Times* about legislative proposals designed to prevent employers from blocking workers' public statements about sexual harassment on the job.

Labor of Law columnist Erin Mulvaney wrote that more than 100 bills or resolutions related to sexual harassment and workplace misconduct have been introduced during the 2018 state legislative session to limit the use of confidentiality agreements. Law.com [reported](#) that, in California, nearly two dozen bills have been introduced addressing the issue, on top of legislation from 2017. One recent measure would prevent businesses from forcing workers into closed-door settlements.

Law.com reported that Chase, a member of Haynes Boone's Labor and Employment Group in the Orange County office, said the latest California measure would have a "significant impact." Chase says the bill could complicate the process of settling sexual harassment claims.

Chase says the would-be new law could create a slippery slope for employers, "potentially opening the door for claims by unsuccessful applicants to argue that they were retaliated against for refusing to sign a proposed agreement." ...

Excerpted from *law.com*. To read the full article, click [here](#). (Subscription required)

San Francisco Business Times wrote that AB 3080, one of the California proposals, which would prohibit employers from denying employees the opportunity to publicly disclose an instance of sexual harassment as part of a contract.

Here's an [excerpt](#):

"Companies are taking the #MeToo movement very, very seriously and California has for a long time mandated sexual harassment training," Chase said. "That being said, when it comes to disclosing settlement amounts, I don't see that happening unless it was mandated by the legislature."

A second provision of the legislation would stop employers from forcing prospective employees to waive their right to take claims to a court or state agency. The legislation is also meant to roll back the use of mandatory arbitration in certain cases including harassment, discrimination and wage theft. ...

"The bill has two different components ... but here they're grouped together in one act. This may be an effort from lawmakers to piggyback on the #MeToo movement's momentum and get the mandatory arbitration part passed as well," Chase said of the AB 3080. ...

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