

TRACY RAMOS – SUPPORT for House Bills 5852, 5853, and 5854

March 17, 2021

Dear Chairwoman Williams and Members of RI House Labor Committee,

I urge your support for House Bills 5852, 5853 and 5854 at today's hearing. As you know, these bills are designed to strengthen anti-discrimination protections for Rhode Island's workers.

The current pandemic has highlighted how critical the need is for additional worker protections. Each of these bills provides protections that are needed not only during a global crisis but as we as a state seek to grow and strengthen our economy.

House Bill 5852 addresses the individual responsibility of a person who commits an illegal action – such as discrimination – in their capacity at work. In the 2017 case *Mancini v. Providence*<sup>1</sup> the RI Supreme Court stated that if the Rhode Island General Assembly intended for folks to be held personally liable, the statute would have said so. This bill makes that clear. It would ensure that perpetrators of discrimination could be held liable under this statute, as was intended.

All reasonable remedies must be made available to victims of workplace discrimination, and this bill would ensure that those responsible for the illegal acts could be held liable. Further, personal liability would serve as a deterrent to folks who may otherwise not consider the ramifications of practicing discrimination at work.

House Bill 5853 would prohibit employers from requiring, as a condition of employment, that potential employees sign an NDA prohibiting them from speaking of discrimination they experienced at work. This, of course, is of no benefit to a worker, and those who are in difficult circumstances likely will feel obligated to sign such an NDA so that they can get the job and provide for themselves and their families. The General Assembly can protect against this potential abuse of power by simply prohibiting it. Better, I'd say, for an employer to focus on eradicating discrimination than on silencing victims of discrimination.

Finally, House Bill 5854 expands employment protections to all workers. It makes little sense to not have all workers protected under Rhode Island's employment laws particularly as they relate to discrimination. A contract employee or an employee of a small company is no less likely to be subjected to discrimination than an employee of a large firm.

I urge passage of these three bills.

Sincerely,

*Tracy Ramos*

Tracy Ramos – Resident of House District 69

cc: Representative Teresa Tanzi and Representative Susan Donovan

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<sup>1</sup> <https://law.justia.com/cases/rhode-island/supreme-court/2017/14-88.html>