

CHAPTER 208
SB 390 – FINAL VERSION

03/06/14 0707s

2014 SESSION

14-2732
05/10

SENATE BILL **390**

AN ACT prohibiting discrimination against employees who are victims of domestic violence and establishing a committee to study the protection of employees from domestic violence.

SPONSORS: Sen. Hosmer, Dist 7; Sen. Pierce, Dist 5; Sen. Woodburn, Dist 1; Sen. Lasky, Dist 13; Sen. Soucy, Dist 18; Sen. Kelly, Dist 10; Sen. D'Allesandro, Dist 20; Rep. Huot, Belk 3

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill prohibits employers from discriminating against employees who are victims of domestic violence. The bill also establishes a committee to study the protection of employees from domestic violence.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT prohibiting discrimination against employees who are victims of domestic violence and establishing a committee to study the protection of employees from domestic violence.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 208:1 New Subdivision; Protection of Employees from Domestic Violence. Amend RSA 275 by
2 inserting after section 70 the following new subdivision:

Protection from Domestic Violence

4 275:71 Prohibited Conduct by Employer. It is an unlawful employment practice for an employer
5 to:

6 I. Refuse to hire an otherwise qualified individual because the individual is a victim of
7 domestic violence, harassment, sexual assault, or stalking.

8 II. Discharge, threaten to discharge, demote, suspend, or in any manner discriminate or
9 retaliate against an individual with regard to promotion, compensation or other terms, conditions, or
10 privileges of employment because the individual is a victim of domestic violence, harassment, sexual
11 assault, or stalking.

12 275:72 Penalty. Any employer who violates this subdivision shall be subject to a civil penalty, to
13 be imposed by the labor commissioner in accordance with the procedures established in RSA 273:11-

14 a. An employer aggrieved by the commissioner's assessment of such penalty may appeal in
15 accordance with RSA 273:11-c.

16 208:2 Committee Established. There is established a committee to study the protection of
17 employees from domestic violence.

18 I. The members of the committee shall be as follows:

19 (a) One member of the senate, appointed by the president of the senate.

20 (b) Three members of the house of representatives, appointed by the speaker of the
21 house of representatives.

22 II. Members of the committee shall receive mileage at the legislative rate when attending to
23 the duties of the committee.

24 III. The committee shall study how state laws, rules, and employment practices may be used
25 to protect employees who are victims of domestic abuse, sexual assault, stalking, or criminal
26 harassment.

27 IV. The members of the study committee shall elect a chairperson from among the members.
28 The first meeting of the committee shall be called by the first-named senate member. The first

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1 meeting of the committee shall be held within 45 days of the effective date of this section. Three
2 members of the committee shall constitute a quorum.

3 V. The committee shall report its findings and any recommendations for proposed legislation
4 to the president of the senate, the speaker of the house of representatives, the senate clerk, the
5 house clerk, the governor, and the state library on or before November 1, 2014.

6 208:3 Effective Date.

7 I. Section 1 of this act shall take effect 60 days after its passage.

8 II. The remainder of this act shall take effect upon its passage.

9

10 Approved: July 11, 2014

11 Effective Date: I. Section 1 shall take effect September 9, 2014.

12 II. Remainder shall take effect July 11, 2014.