

## S 575

EMPOWER Act—Part 1

**Congress:** 116 (2019–2021, Ended)

**Chamber:** Senate

**Policy Area:** Labor and Employment

**Introduced:** Feb 27, 2019

**Current Status:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

**Latest Action:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Feb 27, 2019)

**Official Text:** <https://www.congress.gov/bill/116th-congress/senate-bill/575>

### Sponsor

**Name:** Sen. Harris, Kamala D. [D-CA]

**Party:** Democratic • **State:** CA • **Chamber:** Senate

### Cosponsors (1 total)

| Cosponsor                   | Party / State | Role | Date Joined  |
|-----------------------------|---------------|------|--------------|
| Sen. Murkowski, Lisa [R-AK] | R · AK        |      | Feb 27, 2019 |

### Committee Activity

| Committee  | Chamber | Activity    | Date         |
|--|---------|-------------|--------------|
| Health, Education, Labor, and Pensions Committee | Senate  | Referred To | Feb 27, 2019 |

### Subjects & Policy Tags

#### Policy Area:

Labor and Employment

### Related Bills

| Bill        | Relationship | Last Action  |
|-------------|--------------|--|
| 116 HR 1521 | Related bill | <b>Apr 8, 2019:</b> Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties. |

## **Ending the Monopoly of Power Over Workplace harassment through Education and Reporting Act-Part I or the EMPOWER Act-Part I**

This bill prohibits the use of nondisparagement and nondisclosure clauses that cover workplace harassment in employment contracts and directs the Equal Employment Opportunity Commission (EEOC) to take certain actions related to workplace harassment.

Specifically, the bill prohibits the use of nondisparagement and nondisclosure clauses in employment contracts if such clauses cover workplace harassment, including sexual harassment or retaliation for reporting harassment. It also prohibits the enforcement or attempted enforcement of such clauses.

Notwithstanding signing any nondisparagement or nondisclosure clause, an employee or applicant retains any right that person would otherwise have had to report a concern about workplace harassment to the EEOC and other specified agencies and any right that person would otherwise have had to bring an action in a court of the United States.

Additionally, the bill prohibits state immunity under the Eleventh Amendment to the Constitution from an action in a federal court for a violation related to workplace harassment.

The bill also directs the EEOC to (1) establish a confidential tip line that supplements its existing process for submitting a charge of discrimination; and (2) disseminate workplace training programs and information regarding workplace harassment, including sexual harassment.

### **Actions Timeline**

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- **Feb 27, 2019:** Introduced in Senate
- **Feb 27, 2019:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

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