

S 3219

BE HEARD in the Workplace Act

Congress: 117 (2021–2023, Ended)

Chamber: Senate

Policy Area: Labor and Employment

Introduced: Nov 17, 2021

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. (Nov 17, 2021)

Official Text: <https://www.congress.gov/bill/117th-congress/senate-bill/3219>

Sponsor

Name: Sen. Murray, Patty [D-WA]

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

Cosponsors (21 total)

| Cosponsor | Party / State | Role | Date Joined |
|------------------------------------|---------------|------|--------------|
| Sen. Baldwin, Tammy [D-WI] | D · WI | | Nov 17, 2021 |
| Sen. Blumenthal, Richard [D-CT] | D · CT | | Nov 17, 2021 |
| Sen. Booker, Cory A. [D-NJ] | D · NJ | | Nov 17, 2021 |
| Sen. Brown, Sherrod [D-OH] | D · OH | | Nov 17, 2021 |
| Sen. Cardin, Benjamin L. [D-MD] | D · MD | | Nov 17, 2021 |
| Sen. Casey, Robert P., Jr. [D-PA] | D · PA | | Nov 17, 2021 |
| Sen. Duckworth, Tammy [D-IL] | D · IL | | Nov 17, 2021 |
| Sen. Durbin, Richard J. [D-IL] | D · IL | | Nov 17, 2021 |
| Sen. Gillibrand, Kirsten E. [D-NY] | D · NY | | Nov 17, 2021 |
| Sen. Hirono, Mazie K. [D-HI] | D · HI | | Nov 17, 2021 |
| Sen. Kaine, Tim [D-VA] | D · VA | | Nov 17, 2021 |
| Sen. Klobuchar, Amy [D-MN] | D · MN | | Nov 17, 2021 |
| Sen. Lujan, Ben Ray [D-NM] | D · NM | | Nov 17, 2021 |
| Sen. Markey, Edward J. [D-MA] | D · MA | | Nov 17, 2021 |
| Sen. Merkley, Jeff [D-OR] | D · OR | | Nov 17, 2021 |
| Sen. Padilla, Alex [D-CA] | D · CA | | Nov 17, 2021 |
| Sen. Rosen, Jacky [D-NV] | D · NV | | Nov 17, 2021 |
| Sen. Sanders, Bernard [I-VT] | I · VT | | Nov 17, 2021 |
| Sen. Van Hollen, Chris [D-MD] | D · MD | | Nov 17, 2021 |
| Sen. Warren, Elizabeth [D-MA] | D · MA | | Nov 17, 2021 |
| Sen. Wyden, Ron [D-OR] | D · OR | | Nov 17, 2021 |

Committee Activity

| Committee | Chamber | Activity | Date |
|--|---------|-------------|--------------|
| Health, Education, Labor, and Pensions Committee | Senate | Referred To | Nov 17, 2021 |

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

| Bill | Relationship | Last Action |
|-------------|----------------|--|
| 117 HR 5994 | Identical bill | Nov 1, 2022: Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties. |

Summary (as of Nov 17, 2021)

Bringing an End to Harassment by Enhancing Accountability and Rejecting Discrimination in the Workplace Act or the BE HEARD in the Workplace Act

This bill expands protections against discrimination and harassment in the workplace and raises the minimum wage for tipped employees.

Specifically, the bill (1) makes it an unlawful employment practice to discriminate against an individual in the workplace based on sexual orientation, gender identity, pregnancy, childbirth, a medical condition related to pregnancy or childbirth, or a sex stereotype; and (2) provides a statutory definition for what constitutes workplace harassment. Further, these protections apply to all workplaces, regardless of size, and to all workers, including independent contractors, interns, volunteers, and trainees.

The bill prohibits employers from entering into contracts or agreements with workers that contain certain nondisparagement or nondisclosure clauses and prohibits certain predispute arbitration agreements and postdispute agreements. It also establishes grant programs to (1) prevent and respond to workplace discrimination and harassment, (2) provide legal assistance for low-income workers, and (3) establish a system of legal advocacy in states to protect the rights of workers.

The bill further provides employees the right to retain their tips and it increases, in specified annual increments, the minimum wage for tipped employees to match the federal minimum wage for nontipped employees.

Additionally, the bill requires the Equal Employment Opportunity Commission to provide specified training and resource materials, establish and convene a harassment prevention task force, and establish an Office of Education and Outreach with regard to prohibited discrimination and harassment in employment.

The bill also requires specified studies, reports, and research on prohibited workplace harassment.

Actions Timeline

- **Nov 17, 2021:** Introduced in Senate
- **Nov 17, 2021:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

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