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**State Assembly Votes to Ban Retaliatory “No Rehire” Clauses that Lock Out Sexual Harassment Victims**

*AB 749 is Second #MeToo Bill of the Session to Pass Floor Vote*

Sacramento – The California State Assembly today approved important legislation that would protect victims of sexual harassment and other workplace rights violations from losing their careers after settling a legal claim.

Co-sponsored by the **California Employment Lawyers Association** (CELA) and **Equal Rights Advocates** (ERA), AB 749 would fix an absurd and increasingly common trend in settlements for sexual harassment and other employment disputes where employers include a “no rehire” clause. Such provisions can bar victims from not only returning to their same employer, *but also from any workplace affiliated with their employer*. This can impose a substantial burden on the employee’s ability to practice a chosen occupation, sometimes requiring a worker to pursue a different career altogether. To make matters worse, the harassing perpetrators often remain on the job.

“I don’t know how we can expect victims to come forward when this is the price they pay,” argues **Mariko Yoshihara, Policy Director for CELA**.

Lawmakers on the Assembly Judiciary Committee heard from a woman who had worked for the California Highway Patrol (CHP) where her supervisor repeatedly touched her against her will – even forcibly kissing her. Even though the harasser admitted to the conduct, CHP conditioned the settlement agreement on the victim giving up her job, while the harassing supervisor continued working there.

In another case at California State University (CSU) Fresno, a campus police officer was sexually harassed by her supervisor. She not only had to give up her job at Fresno, but the settlement also prevented her from applying to work at any CSU campus.

“The MeToo movement is not over and pushing women out of work is not justice,” explains **Jessica Stender, Senior Counsel for Workplace Justice & Public Policy at ERA**. “We need to make sure we are supporting survivors to speak out without retaliation; this bill ensures a woman’s ability to work in her field continues unabated.”

**AB 749 (Stone, Gonzalez, and Reyes)** is specifically tailored to protect survivors of harassment and workers involved in other employment disputes. It prohibits any provision in a settlement agreement that prohibits, prevents, or otherwise restricts an “aggrieved person” from working for the employer (or affiliated employers). It does not stop an employer from refusing to employ employees who engage in unlawful or egregious conduct, including sexual harassment.

The bill now goes to the Senate.

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**About California Employment Lawyers Association (CELA):** CELA exists to protect and expand the legal rights and opportunities of all California workers and to strengthen the community of lawyers who represent them.

**About Equal Rights Advocates (ERA):** Equal Rights Advocates is a national civil rights organization dedicated to protecting and expanding economic and educational access and opportunities for women and girls.