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ACLU OF RI POSITION: SUPPORT

TESTIMONY IN SUPPORT OF 23-H 5929, AN ACT RELATING TO FAIR EMPLOYMENT PRACTICES March 15, 2023

The ACLU of Rhode Island strongly supports this bill, which would amend the RI Fair Employment Practices Act to prohibit an employer from requiring as a condition of employment that the individual enter a non-disclosure or non-disparagement agreement. This prohibition represents an important step in addressing attempts by employers to stifle the rights of victims of discrimination to speak out about misconduct in the workplace.

Too often the mandatory use of these agreements has shielded employers from scrutiny for widespread practices of harassment or discrimination. Recent high-profile national stories have only highlighted this disturbing fact and the need to address this issue.

These agreements should be rejected as a matter of public policy. Because this bill does just that, the ACLU of RI urges passage of this legislation.