

# SUPPORT HB 2957A

## PROBLEM

Currently, the statute of limitations to file a workplace discrimination or harassment civil cases is **five years**. However, if a worker files a complaint with BOLI, this time is reduced to **90-days** after BOLI sends a notice of their findings or one year after the complaint was filed – whichever comes first.

### Example:

A worker files a complaint with BOLI immediately after the discrimination or harassment occurs. BOLI is not able to make a finding in the case after one year due to lack of resources. The worker now only has **90-days** to find an attorney and file a civil case in court. If the same worker did not go to BOLI then they would have had **4-years** to find an attorney and file their civil case.

This inconsistency directly harms workers who are more likely to rely on BOLI than an attorney to get help after an experience with harassment or discrimination.

## SOLUTION

House Bill 2957 ensures that any worker who believes they have experienced harassment or discrimination can rely on **the same 5-year statute of limitations**.

Prohibiting employers from including clauses in contracts that shorten the time workers have to file claims for workplace violations enforced by BOLI.

Requiring BOLI to issue a "notice of rights" to complainants within clear, set timelines, ensuring that workers know their rights and next steps promptly.

Amended to clarify that:

- BOLI is not required to issue a 90-day notice stating that a lawsuit can be filed in court if the matter is settled.
- The language "before" in Section 7 applies to complaints filed on or after the effective date of the bill and before the effective date for which BOLI has not issued a 90-day notice.

## Statute of Limitation for Filing Civil Actions Based on Harassment and Discrimination

