

Labor and Public Employees Committee

JOINT FAVORABLE REPORT

Bill No: SB-355 / [Bill Status](#) / [Public Hearing Testimony](#)

AN ACT CONCERNING LIMITATIONS ON THE USE OF NONDISCLOSURE

Title: AGREEMENTS.

Vote Date: 3/12/2026

Vote Action: Joint Favorable

PH Date: 3/3/2026

File No.:

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SPONSORS OF BILL:

Labor & Public Employees Committee

REASONS FOR BILL:

The reason for this bill is to limit the use of nondisclosure agreements (NDAs) in the workplace in order to prevent misuse and abuse of said agreements, by limiting what information can be limited by an NDA, and prohibiting the use of NDAs to prevent employees from disclosing illegal practices in the workplace. It also prohibits employers from discharging, discriminating, or retaliating against an employee for disclosing or discussing the covered conduct. The bill allows CHRO to enforce the prohibition on NDAs, and makes it a discriminatory practice for an employer to force an employee to sign an NDA that contains provisions barred under this bill.

RESPONSE FROM ADMINISTRATION/AGENCY:

Natasha M. Pierre Esq., State Victim Advocate, Office of the Victim Advocate:

Submitted testimony in support stating NDA's are often used by employers for covering up illegal behaviors that may occur in the workplace. The NDA is used to protect the abuser while silencing the victim. Employees face greater discrimination, harassment, and retaliation as consequences for reporting despite laws being on the books. They state that SB 355 will limit the use and enforceability of NDA's to silence employees. The language also provided meaningful enforcement provisions including statutory damages and recovery of attorney fees.

Tanya Hughes, Executive Director, CHRO: Submitted testimony stating several states already prohibit NDA's for good reasons. Some employers require NDA to be signed at the start of employment and those NDA's can be included in settlement agreements that prevent

victims from talking about their experience. Hughes states that NDA's pose multiple problems for addressing discrimination and harassment. They make it more difficult to identify patterns of discrimination and are often mandatory terms of settlement agreements. Due to the power dynamics involved many individuals feel they have no choice but to sign a NDA even when they may not want to.

NATURE AND SOURCES OF SUPPORT:

Martin Looney, Senate President Pro Tem, SDO: Senator Looney states that the bill will ensure that security screenings required by an employer must be included in the definition of "hours worked", provide a recommendation for heat safety standards, and align state and federal law regarding break times for the purpose of breastfeeding. He adds that the heat study is important as temperatures continue to increase.

Beth Hamilton, Executive Director, Alliance to End Sexual Violence: Submitted testimony in support stating the states NDA laws need reform to prevent confidentiality provisions from being used to silence survivors of sexual violence. Survivors right to speak should not depend on the relative power of an employer. SB 355 would void agreements that prevent discussing conduct they believed to be harassment, discrimination, and retaliation. They state SB 355 fills in gaps by strengthening accountability and prohibiting retaliation.

Liza Andrews, VP Govt Relations, CCADV: Ms. Andrews is in support of the bill. She believes that the bill will limit the use of non-disclosure and non-disparagement provisions when used for alleged discrimination, harassment, retaliation, or other unlawful conduct. She states that survivors should have the right to share their experiences without possible financial ruin or putting their career at stake. She explains that a nondisclosure agreement might be presented to a victim as a tradeoff, so they do not discuss situations about the workplace. She adds that contracts should not be used a shield for unlawful behavior.

Sue Blasavage, Survivor Speak Outreach, Jane Doe No More: Ms. Blasavage states that non-disclosure or non-disparagement agreements should not be used to silence victims. She adds a safe workplace is dependent on the ability to report wrongdoing. She adds that survivors deserve the ability to share their experiences without fear of financial ruin. She believes that NDAs are often used to protect institutions. For these reasons Ms. Blasavage is in support of the bill.

Donna Palomba, Founder and President, Jane Doe No More: Submitted testimony stating that the bill makes sure NDA's can't be used to silence those who experienced illegal harm. Survivors deserve the right to speak without fear of financial ruin or retaliation. SB 355 adds enforcement by allowing statutory damages and attorneys fees.

Ed Hawthorne, President, Connecticut AFL CIO: Mr. Hawthorne is in support of the bill. He claims that NDAs seek to silence victims and keep them in their current job. He adds that they are often used to protect employers and are utilized in settlements of workplace sexual harassment cases. He states that often times a NDA will include a non-disparagement clause which prevents an employee from speaking against the employer. He claims that this allows hostility in the workplace to continue. He concludes by stating the bill will penalizes employers who weaponize NDAs.

Lewis Chimes, Attorney, CT Trial Lawyers Association: Mr. Chimes states that NDAs are often required by employers as a condition of virtually every single severance agreement and civil settlement. He claims that many employees who lose their jobs cannot afford to litigate their claims which gives employers leverage over them. He adds that when NDAs are used to shield bad actors it allows for misconduct to continue. He believes that the bill will provide a reasonable balance between the use of NDAs and transparency. He claims that the bill does not prevent employers from maintaining confidentiality about the amount of any settlement. And he adds that it aligns with legislation in other states such as California. For these reasons Mr. Chimes is in support of the bill.

Ashley Dunn, CEO, CEE Danbury: Ms. Dunn is in support of the bill. She believes that this bill will make it clear that misconduct cannot be hidden with legal paperwork. She also claims that the bill will protect survivors' ability to speak out along with keeping the workplace safe and will protect trade secrets and legitimate proprietary information. She adds that without consequences unlawful behavior will continue.

Isabella Gilmour, Susan B. Anthony Project: Ms. Gilmour is in support of the bill. She believes that the bill will promote accountability, survivor-centered protections, workplace safety and transparency. She adds that the bill will therefore ensure the protection of survivors from retaliation. Ms. Gilmour claims that the bill will instill a balance between protections for employers and employees. She explains that the bill aims to disrupt the normalcy of NDAs in employment-related contexts. She states that according to the Speak Out Act 81% of women and 43% of men have experienced sexual harassment or assault throughout their lifetime however the majority of these are never reported. She believes that the bill will allow people to come forward about their experiences.

Patricia Ieraci, Licensed Professional Counselor, Jane Doe No More: Ms. Ieraci is in support of the bill. She claims that if passed the bill would make it clear that misconduct cannot be shielded with paperwork. She states that in her practice she was worked with people experiencing anxiety, shame, and moral injury because they were required to sign agreements, which is why it is important that they can speak out. She adds that a safe workplace can only exist if people feel free to report. She believes that the bill is reasonable and will close gaps that were left from the Speak Out Act.

Leo Koxha, Sexual Assault Crisis Advocate, Women and Families: Ms. Koxha is in support of the bill. She believes that NDAs are currently used to limit individuals who have experienced misconduct from speaking out. She claims that passing this bill will allow for NDAs to be used while not giving employers an advantage as well as protecting employees from misconduct.

Sharon Long: Submitted testimony in support of the bill stating as a survivor the most important part of healing was finding their voice. They state NDA can take that power away and make survivors feel like their experience is being hidden. This bill would help survivors get freedom without being legally silenced.

Erica Nolan, Hurwitz Sagarin - Slossberg LLC: Submitted testimony in support stating three statistics regarding sexual misconduct. 81% of women and 43% of men have experienced some form of sexual harassment, one in three women have faced sexual harassment in their workplace and 87-94% who have experienced sexual harassment never

file a formal complaint. They state that the bill does not restrict lawful use of NDA's but prevents them from being used as a shield to illegal conduct.

Tonishia Signore, Policy Director, She Leads Justice: Submitted testimony in support stating the bill would limit the enforceability of NDA's used to silence employees from speaking out. They state no worker should have to worry about discrimination and retaliation for speaking out. The enforcement mechanisms in the bill are essential to its effectiveness and sends an undeniable message that illegal conduct won't be tolerated.

Alyssa Amato, Program Director, YWCA New Britain: Submitted testimony in support stating that they answered calls for 24-hour crisis hotline, has met survivors and has facilitated prevention education across 46 towns. They state that sexual violence thrives in darkness where survivors are unable to tell their stories. Research show that most violence is perpetrated by repeat offenders and that these patterns of abuse can only come to light if people are able to share what has happened to them. The bill makes it clear that this can no longer be hidden behind legal paperwork.

Anonymous 9: Submitted testimony in support stating that reclaiming their voice has been a sacred part of their healing. They state that NDA's restrict speech and reinforce shame. SB 355 affirms that speaking out about discrimination, harassment and retaliation is not misconduct.

Emma Beaujouan, Rape Crisis Center of Milford: Submitted testimony in support stating that in employment related scenarios, NDA's should never be used to harm victims. They explain the opportunity to publicly speak out about misconduct is essential because abuse patterns only become apparent when employees voice their concerns. No employee should be forced to choose between voicing their concerns or maintain their livelihood. SB 355 restricts the use of NDA's to keep staff quiet about illegal behavior and enhances victim safety.

Karen Caffrey, Karen Caffrey LPC JD: Submitted testimony in support stating NDA's deprive the community of the ability to make an informed judgment and emboldens negative behavior.

Peter Doucette, Teacher and Sharon Long: Submitted testimony in support stating the bill gives protections to people who experienced misconduct and prevents NDI's/NDA's from being used to shield inappropriate behavior.

Lindsey Jones, Volunteer Program Manager, YWCA New Britain SACS, and Alexandra Raibeck, Intern-YWCA New Britain SACS: Submitted testimony in support stating they have been a victim advocate for over seven years. No one should be contractually silenced for speaking out on conduct that violates the law. They believe SB 355 would guarantee survivors rights to share their experiences and limits the enforceability of NDA's that would be used to silence them.

Anne Malisk, Director Sexual Assault Services, Women and Families Center and Jett Moxley, Assistant Director, Sexual Assault Crisis Service: Submitted testimony in support stating NDA's should never be used to silence victims. Survivors should never have to fear between speaking out and keeping their job. The legislation does not eliminate NDA's

but makes it so they cannot be used to hide illegal acts. They state that by allowing statutory damages the bill strengthens enforcement and promotes transparency.

Amy Urban, Owner and Founder, Afterglow Coaching – Consulting: Submitted testimony in support stating when NDA's are used in cases involving sexual harassment, they do not protect victims they protect institutions. The silence creates conditions where patterns of abuse can continue unchecked. NDA's create imbalances and force survivors into silence. They state SB 355 is a necessary step to creating safer workplaces in CT.

NATURE AND SOURCES OF OPPOSITION:

Paul Amarone, Senior Policy Director, CBIA: Mr. Amarone is in opposition of the bill. He states that the bill adds new prohibitions on nondisclosure and nondisparagement provisions that prevent those involved from discussing what they believe to be considered misconduct. He states that his first concern with the bill is that it is too broad and will allow litigation over an employee's "reasonably believes", rather than merit-based claims. He is also concerned that applying g these subjective standards contractors and volunteers will complicate contract management and increase risk regarding routine confidentiality protections. Mr. Amarone believes that the bill opens opportunistic claims because it creates a private right of action with statutory damages of \$10,000 even if no harm has occurred. He is also concerned that the bill will undermine confidentiality because it removes a key tool that facilitates early resolution. Lastly, he is concerned that limited carveout does not protect employee personal data and could harm reputations. He also points out the states like California and New York have passed similar legislative which has focused reforms on sexual harassment and require specific conditions for confidentiality to be enforceable.

Eric George, President, Insurance Association of Connecticut (IAC), Kristina Baldwin, Vice President of the American Property and Casualty Insurance Association (APCIA), and Sean McLaughlin, Regional Vice President, State Affairs of the National Association of Mutual Insurance Companies (NAMIC): Mr. George is in opposition of the bill because he believes that that bill goes far beyond that objective and would result in significant unintended consequences for Connecticut employers. They state that the bill prohibits the use of nondisclosure agreements not only in cases of sexual harassment or misconduct but in any employment-related dispute where an individual "reasonably believes" any form of misconduct occurred. He adds that the bill also expands the definition of "employee" to include contractors, prospective employees, and volunteers. He is also concerned that the automatic statutory damages of no less than \$10,000 per violation, along with attorneys' fees will significantly increase litigation exposure for employers. He states that nondisclosure agreements are an important tool used by both employers and employees to resolve disputes. He believes that this bill will undermine the value of settlement and remove a key incentive for employers to resolve claims outside of court. He adds that this will allow employees to publicly disclose or characterize employment disputes in any manner which could harm businesses. He also states that the bill will undermine agreements that were created in good faith and hurt the enforceability of them.

Reported by: Lawrence Sanchez & Olivia Buczak Date: 3/25/2026