

Rep. Mike O'Brien
Whistleblower Legislation Testimony
April 24, 2018

Good afternoon Mr. Chairman, fellow colleagues. Although I am not able to attend today's hearings, I would like to thank you for the opportunity to submit remarks before the House Labor and Industry Committee.

My name is Mike O'Brien and I represent the 175th Legislative District which includes Philadelphia County.

Since first being elected to the Pennsylvania legislature in 2006, I have fought to ensure that women throughout our commonwealth are treated equally and do not face discrimination, harassment, or assault.

My legislation – House Bill 2284 – is a continuation of this work. H.B. 2284 would amend Pennsylvania's Whistleblower Law to extend the amount of time employees have to file a complaint against an employer from 180 days to two years. My bill would also provide people with the right to a trial by jury and to recover any punitive damages.

As lawmakers, it is time we stepped up and provided increased protections for people who have the courage to speak out against sexual harassment and discrimination in the workplace.

According to a 2016 report released by the U.S. Equal Employment Opportunity Commission, at least **one in four people** experience sexual harassment in the workplace.

Moreover, 75 percent of all workplace harassment incidents go unreported. This is due to fear of retaliation. In fact, the EEOC's report found that 75 percent of employees who did speak out against workplace misconduct, discrimination or harassment faced some form of retaliation from their employer. This is particularly true for employees in service-based industries and low-wage jobs.

As lawmakers, it is our obligation to remove the barriers in place that make it harder for employees to report misconduct. This is true whether it's in a factory, our state Capitol or the office of a Fortune 500 company. Unrealistic time restrictions on how long a victim has to report misconduct only allow harassment and discrimination to continue uncontrolled.

Mr. Chairman, this is not a partisan issue. This is why I ask that you advance my legislation – H.B. 2284 – to give the victims of workplace harassment the rights they deserve.

I thank the committee for its time and consideration. And I hope that you strongly consider doing the right thing to ensure that everyone feels safe while on the job.