
General Assembly Revises HB2 to Restore Discrimination Claims in State Court

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We recently blogged on the little-discussed but impactful changes to North Carolina's employment law contained in House Bill 2, also known as the "Bathroom Bill." The law eliminated the right to bring employment discrimination claims in state court, and preempted local governments from changing the minimum wage.

Although these provisions did not spark the intense debate surrounding the bathroom restrictions, they are important in their own right, as evidenced by the General Assembly's recent actions.

On Friday, the General Assembly revised the bill to restore the right to bring employment discrimination claims in state court. House Speaker Tim Moore told reporters that, "there was never an intent to limit the right of anybody to seek redress in state court." However, the General Assembly simultaneously shortened the limitations period in which plaintiffs may bring such claims, from three years to one.

It is interesting that such a drastic change of course happened so quickly and so easily. Governor McCrory called for the restoration of state law discrimination claims months ago, and the Friday revisions passed overwhelmingly. Meanwhile, the General Assembly is standing firmly behind the bathroom provisions in HB2. It voted on Friday to move \$500,000 from disaster relief to the HB2 court defense fund. As indicated by the comments of House Speaker Moore, the changes to the state's employment law seem to have been an oversight.

The General Assembly has not yet revised the provisions in HB2 relating to the minimum wage. We will continue to monitor the situation closely.

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