

APPENDIX A

BILL SUMMARY: DAMAGES AND PROBATIONARY PERIOD

Jurisdiction	Limit on amount of damages?	Specific damages excluded?	Punitives allowed?	Duty to mitigate expressly codified?	Probationary period?
Alabama	No	No	Yes	Silent	No
Hawaii	Yes: 36 months lost wages and benefits	Yes: excludes damages for pain and suffering, compensatory, emotional distress, fraud, and defamation,	No	Yes	Yes: one year and employed for at least 520 hours in 26 weeks before discharge
Indiana	No	No	Silent	Silent	No (but must work at least 20 hours per week)
Maine	No	Yes: pain and suffering	Yes	Silent	Yes: 86 months lost wages and benefits
Massachusetts	No	No	Silent	Silent	No
Mississippi	Yes: sliding-scale cap based on number of employees (Title VII model)	No	Yes	Yes	Yes: 90 days
Missouri	Yes: 36 months lost wages and benefits	Yes: excludes damages for pain and suffering, compensatory, emotional distress, fraud, and defamation,	No	Yes	Yes: one year

Jurisdiction	Limit on amount of damages?	Specific damages excluded?	Punitives allowed?	Duty to mitigate expressly codified?	Probationary period?
Nevada	Yes: 36 months lost wages and benefits	Pain & suffering, compensatory, emotional distress, punitive, fraud, defamation	No	Yes	Yes: one year and employed for at least 520 hours in 26 weeks before discharge
New Hampshire	Yes: four years lost wages and benefits	Pain & suffering, compensatory, emotional distress, punitive	No	Yes	Yes: 6 months
New Mexico	No	No	Yes	Silent	No
Oklahoma	No	No	No	Silent	Yes: 30 days
Rhode Island	Yes: 36 months lost wages and benefits	Pain & suffering, compensatory, emotional distress, punitive, fraud, defamation	No	Yes	Yes: one year and employed for at least 520 hours in 26 weeks before discharge
Texas	No	by implication, non-economic damages excluded	Silent	Silent	Yes: 10 years
Vermont	Yes: four years back pay for lost wages and benefits, but no limit on front pay	by implication, non-economic damages excluded	Yes	Yes	Yes: six months
Washington	Yes: 36 months lost wages and benefits	Yes: by implication, non-economic damages excluded	No	Silent	Yes: one year

Jurisdiction	Limit on amount of damages?	Specific damages excluded?	Punitives allowed?	Duty to mitigate expressly codified?	Probationary period?
Wyoming	Yes: four years lost wages and benefits	Yes: by implication, non-economic damages excluded	Yes	Yes	No