

Excerpts of the Workplace Harassment Policy of the General Assembly

Effective 05/08/24

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F. REPORTING PROCESS

1. A member, legislative employee, or third party who believes that he or she is the subject of any type of prohibited harassment, including sexual harassment, or retaliation should discuss the issue with the Office. The member, legislative employee, or third party may file a complaint concerning harassment or retaliation with the Office. If the issue concerns a staff member from the Office, a complainant should discuss the issue with the Director of the Office of Legislative Legal Services and may file a complaint with such Director. When a complaint concerns a staff member from the Office, the Director of the Office of Legislative Legal Services shall fulfill all of the roles and duties assigned to the Office in this Policy.
2. Upon receipt of a complaint of prohibited harassment or retaliation, the Office shall assess the complaint and work with the complainant to determine the most appropriate course of action, including whether to proceed with a formal or informal resolution process as described in sections G. and H. of this Policy.
3. Prior to initiating the formal resolution process against a member or partisan staff, the Office must interview the respondent about the allegations. If, based on the interview, the Office determines that the complainant has made a false complaint or filed a complaint in bad faith, the Office may dismiss the complaint.
4. The Office may initiate a formal harassment or retaliation complaint investigation when the scope and criteria described in this Policy are met and only with the approval of the complainant. If the complainant withdraws the complaint, the Office must offer the respondent the opportunity to hear and respond to the allegations against the respondent. If the respondent chooses to respond to the allegations, the Office must include the respondent's response as part of the record of the complaint.
- ~~4.5.~~ Knowingly filing a false complaint or filing a complaint in bad faith may constitute a violation of this Policy, subject to the informal or formal processes described in sections G. and H. of this Policy.

H. FORMAL RESOLUTION PROCESS

1. The formal resolution process is a more traditional investigative response to complaints that allege facts that could constitute a violation of this Policy. The formal resolution process is a confidential process, and the parties' names, witness names, the process itself,

and any resolution are not subject to disclosure except as necessary to conduct an investigation or implement remedial measures or as otherwise provided in section H.8.c.iv. (2) or I. of this Policy.

2. The Office or third-party investigator shall provide to both the complainant and the respondent the same basic information concerning an explanation of the entire resolution process, including the investigation, timeline, requirements, prohibitions, resources, and any anti-retaliation plan. The required information will ordinarily be provided, in the case of the complainant, when the Office receives the complaint, and in the case of the respondent, at the time the respondent is first contacted.
3. The Office or investigator shall conduct a thorough and impartial investigation of the allegations and, in conducting the investigation, shall conform to professional practice standards in the workplace investigations industry except as otherwise provided in this Policy. Typically, an investigation includes interviewing the complainant, the respondent, and witnesses and reviewing relevant documents.

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