

From: Brenda Baumgart and Sarah J. Ryan
To: Joint Committee on Conduct
Re: Legislative Equity Office Updates

Annual Report

By Brenda Baumgart and Sarah J. Ryan

Dated August 2, 2022

In or about July 2021, we were asked to fulfill specified responsibilities of the Legislative Equity Officer (“LEO”) during the period in which no LEO was in place and a new LEO was being sought. In that capacity, we conducted trainings regarding Rule 27 and the Respectful Workplace Policy. We also provided process counseling and when necessary, investigations. When Brenda Baumgart’s office conducted process counseling that resulted in an investigation, that investigation was handled by Sarah J. Ryan’s office. When Ryan’s office conducted process counseling that resulted in an investigation, that investigation was handled by Baumgart’s office.

The following includes an update on our activities from July 2021 to current for the Joint Committee on Conduct.

Establishment of Legislative Equity Office

The Legislative Equity Office was officially established December 2nd, 2020 after the appointment of the Interim Legislative Equity Officer. The former Interim LEO previously reported that establishing the office included the following:

- Developing education and awareness about Rule 27 as well as the role of the Legislative Equity Office as a resource and reporting option by attending staff meetings, one-on-one introductions, and mandatory building-wide trainings.
- Creating and disseminating materials building-wide that outline Rule 27, individuals' reporting options and responsibilities, the types of prohibited conduct, and the role of the Legislative Equity Office.
- Developing process counseling materials for reporters, complainants, respondents and witnesses including party specific FAQs, a process flowchart and handouts describing additional actions and support resources outside the Legislature Equity Office such as EEOC and BOLI.
- Reviewing previously reported cases still eligible to be brought forward under the Rule and process counseling individuals involved as well as discussing any changes that may impact their case with the establishment of the Legislative Equity Office.
- Developing Rule 27 and LEO specific handbook materials for various building onboarding processes.
- Updating all materials to reflect the amendments to Rule 27 that were finalized on 8/10/20.

Receive Complaints and Offer Process Counseling

The LEO position became vacant in June 2021. Thereafter, our offices received conduct reports, conduct complaints and confidential disclosures. Upon receipt we explained the Rule 27 process and provided process counseling until the complaint was resolved.

- Our offices received 2 mandatory reports since July 2021.
- Our offices received 19 reports/complaints. One of those reports was anonymous. In each case (except the anonymous report) those reporting were process counseled.

- One of the above 21 reports resulted in an investigation under Rule 27.

Our offices have also considered the need for interim measures, engaged in communication with new or additional parties that arise during the course of process counseling or an investigation, and provided post-matter check-ins and quarterly outreach.

Training and Education

The Legislative Equity Office is required to conduct respectful workplace training for members of the assembly, staff, interns, volunteers and lobbyists. To fulfill this obligation:

- We conducted two virtual trainings of two hours each on January 10, 2022. These trainings covered Rule 27 and the Respectful Workplace Policy. The curricula for this training was prepared by us, utilizing materials that had previously been prepared by former Interim LEO, Jackie Sandmeyer.
- On June 8, Brenda Baumgart conducted an in-person training of two hours regarding Rule 27 and the Respectful Workplace Policy.
- On September 28, 2022, October 4, 2022 and November 3, 2022, we will conduct two-hour live sessions with a similar curriculum.
- All of the above trainings are available online.

Culture and Climate Surveys

The Legislative Equity Office is required to provide regular culture and climate surveys and make results publicly available. We have not been tasked with this responsibility as it should be left to the next LEO.

Anonymous Reporting

The Legislative Equity Office was required to establish a means for people to make confidential disclosures that are entirely anonymous. The previous interim LEO reported that to fulfill this obligation the office:

- Identified options within IS capabilities to provide for an electronic anonymous reporting option.
- Identified the limitations to anonymity that come with electronic options.
- Identified key aspects of the protocol needed for anonymous reporting options such as protecting the identity of the reporter, disclosing any limitations to anonymity before disclosure, identifying a way to provide process counseling materials to an anonymous reporter and finally being able to look into report if instances of individual or building safety were to arise.

Anonymous reports have been forwarded to our offices for processing. In the last year, only one anonymous report was received, which did not implicate Rule 27 or the Respectful Workplace Policy.

Remaining Actions

The following are remaining requirements to be completed by the Legislative Equity Office:

- The legislative Equity Officer is required to establish and maintain a Capitol Leadership Team.
- The Legislative Equity Officer must contract with one or more offsite process counselors who receive information from individuals about harassing behavior.
- Conduct a culture and climate survey.