

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 789*

Short Title: Gen. Assembly/Prevent Workplace Harassment. (Public)

Sponsors: Senators Smith, Blue, Robinson (Primary Sponsors); and Foushee.

Referred to: Rules and Operations of the Senate

May 31, 2018

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE GENERAL ASSEMBLY TO DEVELOP AND IMPLEMENT MANDATORY ETHICS TRAINING TO PREVENT WORKPLACE HARASSMENT AND OTHER FORMS OF DISCRIMINATION IN THE WORKPLACE, TO ADOPT CLEAR SANCTIONS POLICIES FOR WORKPLACE HARASSMENT AND OTHER FORMS OF WORKPLACE DISCRIMINATION AT THE GENERAL ASSEMBLY, TO CREATE AND IMPLEMENT A COMPLAINT FILING PROCESS THAT IS CONFIDENTIAL, AND TO APPROPRIATE FUNDS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 7 of Chapter 120 of the General Statutes is amended by adding a new section to read:

"§ 120-32.05. Mandatory workplace harassment prevention policies, education, and complaint process.

(a) No later than December 31, 2018, the Legislative Services Commission and the Legislative Ethics Committee shall jointly develop, adopt, and implement "zero tolerance" policies regarding sexual harassment, abuse, misconduct, gender bias, and all other forms of discrimination in the workplace. The policies developed under this section shall be incorporated by reference into each chamber's permanent rules and shall include protections for pages and unpaid volunteers providing services to the General Assembly.

(b) The policies required under this section shall include all of the following:

(1) Mandatory ethics training for all legislators, officers, and legislative employees of the General Assembly. The training will focus on the identification and prevention of sexual harassment, abuse, misconduct, gender bias, and all other forms of discrimination in the workplace.

(2) Effective and clear sanctions for incidents of sexual harassment, abuse, misconduct, gender bias, and all other forms of discrimination in the workplace. The sanctions shall be applicable to all legislators, officers, and legislative employees.

(3) A complaint filing process that provides for reporting improper workplace conduct and ethical violations to a designated employee administratively located in the office that provides human resource services to the General Assembly. Reports to this individual shall be considered employment-related information and shall be confidential as provided in G.S. 126-22(a). The designated individual shall have the authority to investigate complaints, find facts, and make recommendations regarding appropriate sanctions to the Commission and the Committee as applicable.



1 (4) The Legislative Services Commission shall contract with an independent third
2 party to provide the following services related to implementation of this
3 section:

4 a. Confidential information and advice to individuals who file
5 complaints under subdivision (3) of this subsection.

6 b. Investigative support and advice to the designated employee receiving
7 and investigating reports of misconduct."

8 **SECTION 2.** There is appropriated from the General Fund to the Legislative
9 Services Commission the sum of two hundred fifty thousand dollars (\$250,000) from recurring
10 funds for the 2018-2019 fiscal year to be used to implement this act. The funds shall be allocated
11 as follows:

12 (1) Fifty thousand dollars (\$50,000) for literature, documents, and training
13 materials required for developing an infrastructure for a mandatory yearly
14 ethics training program that focuses on the identification and prevention of
15 sexual harassment, abuse, misconduct, gender bias, and other forms of
16 discrimination.

17 (2) Two hundred thousand dollars (\$200,000) for contractual services required
18 under Section 1 of this act.

19 **SECTION 3.** This act becomes effective July 1, 2018.