



Connecticut General Assembly

LEGISLATIVE INTERNSHIP PROGRAM

Connecticut General Assembly Employee Handbook Section 2.2—Sexual Harassment

(1) *Statement of Policy*

The General Assembly does not tolerate sexual harassment in any form. It is the policy of the General Assembly to create and maintain a work environment in which everyone is treated with dignity and respect. Everyone has the right to a workplace that is free from harassment, both subtle and overt. Therefore, the General Assembly will strive to eliminate all sexually harassing behavior that members, legislative employees, and third parties may encounter in the course of their work. It is the responsibility of everyone to maintain a respectful work environment free from sexual harassment, sexually offensive behavior, and retaliation.

(2) *Sexual Harassment and Sexually Offensive Behavior Defined*

Sexual harassment is defined by Section 46a-60(a)(8) of the General Statutes as "any unwelcome sexual advance or requests for sexual favors or any conduct of a sexual nature when:

- (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (c) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment."

In all cases, an express or implied request for any sexual activity in exchange for employment, promotion, or other advantage constitutes sexual harassment. Under the law, this is called "quid pro quo" sexual harassment. Both the law and this policy prohibit any person who is in a position of authority or has control over the working conditions of another from engaging in this behavior.

(3) *Hostile Work Environment*

This policy also prohibits conduct that would constitute sexual harassment by creating a hostile work environment. The following are examples of conduct or communications that may be offensive and therefore create a hostile work environment:

- (a) Verbal:
 - 1. sexual comments, compliments, innuendoes, or suggestions about one's clothing, body, or sexual activity; or
 - 2. turning of work discussions to sexual topics, such as sexual practices or preferences; or
 - 3. telling sexual jokes or stories; or
 - 4. using obscene or sexual words or phrases to describe a person.

(b) Nonverbal:

1. displaying sexually explicit pictures or objects in the work area; or
2. unwelcome giving of personal gifts of any nature; or
3. making unwelcome visits or telephone calls of a personal nature to a member's or employee's office; or
4. unwelcome kissing, touching, patting, pinching, or brushing against a person's body; or
5. unwelcome sexual contact of any kind.

(4) *Sexual Harassment Training*

All staff are required to attend sexual harassment prevention training.

(5) *Making a Complaint*

An employee who has a claim of sexual harassment may bring a complaint pursuant to the procedure established in Section 11.0 of this handbook.

An employee also may file a complaint of sexual harassment with:

(a) The Connecticut Commission on Human Rights and Opportunities (CHRO), 999 Asylum Avenue, Hartford, CT 06105. (telephone number 566-7710; TDD number 566-7710). A written complaint must be filed with the Commission within 180 days of the date when the alleged sexual harassment occurred. A complaint that is filed with the CHRO is automatically filed with the Equal Employment Opportunity Commission (EEOC).

(b) The EEOC Boston Area Office, John F. Kennedy Federal Building, Government Center, 4th Floor, Room 475, Boston, MA 02114 (telephone number 617-565-3200; TDD number 617-565-3204). The EEOC normally does not investigate a complaint until the CHRO has completed its investigation. However, if the CHRO has not completed its investigation within 60 days of filing, the complainant may ask the EEOC to do so at that time.

SECTION 11.0 COMPLAINT PROCEDURE

Section 11.1—Policy on Employee Complaints

(1) *Limitations*

An employee may bring a complaint concerning:

- (a) a claim of discrimination or harassment on the basis of protected class status, including but not limited to race, color, gender, sexual orientation, age, religion, national origin, marital status, or disability;
- (b) a claim of violation or improper application of a specific policy in this Handbook;
- (c) a claim that a disciplinary action was not warranted.

(2) *Principles*

The following principles shall be observed in the complaint procedure:

- (a) Complaints shall be handled in a manner that will assure confidentiality to the extent that is appropriate.
- (b) The rights of the complainant shall be respected. These rights include the rights to bring a complaint without retaliation and to notice of action taken on the complaint.

(c) In those cases where there is an alleged offender, the rights of that employee also shall be respected. These rights include the rights to notice of charges, and an opportunity to defend against the charges.

(d) Appropriate records and documentation of any complaint and how they are remedied shall be maintained by the Office of Legislative Management.

(e) All concerned shall strive to resolve a complaint within 70 days of the date of its filing.

(3) *Resolution*

The findings of the appointing authority are final and may not be appealed to the Personnel Policies Subcommittee, except in the case of discharge for misconduct.

A discharge for the following non-disciplinary reasons shall not be considered a discharge for misconduct and may not be appealed: (a) failure to meet or maintain the required qualifications for the position, (b) failure to meet or maintain the required conditions for a position, (c) the elimination of a position, (d) political reorganization, or (e) unsatisfactory performance.

Section 11.2—Complaint Procedures

(1) *Seeking Resolution*

A person affected by another's undesirable behavior may first attempt to resolve the problem by communicating directly with the person responsible for the problem. If the person is uncomfortable with this approach or is unable to resolve the problem by direct communication, a complaint may be submitted.

(2) *Submitting a Complaint*

A complaint may be submitted verbally or in writing to:

(a) An immediate supervisor [*For inters this would be the Program Director*]

(b) The chief of staff (if caucus employee) or office director (if nonpartisan employee)* [*See the chart that follows the policy*]

(c) Human Resources

(d) The appointing authority

If the complaint is made against the employee's office director, the complaint may be submitted to the executive director. If the complaint is made against the employee's chief of staff, the complaint may be submitted directly to the appointing authority. If the complaint is made against the executive director of Legislative Management, the complaint may be submitted directly to the Personnel Policies Subcommittee.

(3) *Procedure*

All complaints will warrant a thoughtful and thorough response. Human Resources shall receive a copy of all complaints. When the human resources administrator receives a direct complaint about a caucus employee, the caucus chief-of-staff will be notified and a joint information gathering process will ensue. Nonpartisan office directors will be notified concerning their employees. A third party can be called upon to investigate a complaint if deemed appropriate.

The following information will be documented:

(a) the employee's name, job title, and workplace address and phone number;

- (b) a description of the facts and circumstances the employee believes constitute the basis for the complaint;
- (c) If the employee spoke directly to the responsible party, the results, and why the results are not satisfactory;
- (d) the type of corrective action the employee seeks.

As used in the complaint procedure, “days” are calendar days. The time limits for responses to and/or decisions concerning complaints may be extended by the responding authority by up to 15 calendar days.

The complaint shall be submitted within a reasonable time of the event or occurrence giving rise to the complaint. A complaint shall not be considered if it is submitted more than 180 days after the problem arose or after the complainant could reasonably be expected to have become aware of the problem.

The responding authority shall investigate the complaint and may meet with the employee and others to discuss the complaint. Not later than 21 days after receiving the complaint, the responding authority shall respond in writing to the employee and send (if applicable) a copy of the complaint and the response to the complainant’s appointing authority and to Human Resources.

If the employee is not satisfied with the response, the employee may request review of the complaint by his/her appointing authority. This request for review shall be in writing and shall be submitted not later than 15 days following the decision, with a copy to the

responding authority.

The appointing authority or his/her designee may meet with the employee and the responding authority to discuss the complaint. Not later than 30 days after receiving the request for review, the appointing authority shall respond in writing to the employee.

(3) Complaints Involving Discharge for Misconduct

In the event of a discharge for misconduct, an employee's complaint shall be submitted directly to:

- (a) The legislative leader who appointed him or her, or;
- (b) The Personnel Policies Subcommittee of the Joint Committee on Legislative Management if the appointing authority is the Executive Director.

The complaint shall be submitted within 10 days of notice of discharge. A copy of a complaint concerning discharge for misconduct shall be sent by the employee to the office director or chief of staff.

In complaints over discharge for misconduct, the legislative leader or the Personnel Policies Subcommittee may appoint a designee to investigate the matter and make a recommendation to the leader or subcommittee. The leader or subcommittee, as applicable, or their designee, may meet with the complainant, the Executive Director, office director and/or others, and may review documentation or records related to the discharge. If there is a meeting with the complainant, the complainant may be accompanied by counsel. Failure to provide the leader, the subcommittee, or the designee three days advance notice of the complainant’s decision to have counsel present at the meeting may result in a delay of the meeting at the option of the leader or subcommittee or their designee.

A decision on a complaint involving discharge for misconduct shall be in writing and shall be sent to the complainant within 45 days following receipt of the complaint. The employee will remain in a terminated status pending a decision.

Sexual Harassment Contacts by Office

Office	Female Contact	Male Contact
HDO	Maureen Magnan	Ricky Baltimore
HRO	Jennifer Skehan	Jared Schmitt
SDO	Courtney Cullinan	Vinnie Mauro
SRO	Lisa Hammersley	Rob Poudrier

The contacts above have been identified by the Office of Legislative Management as reporting options under Section 11.2 (2) (b)— *Submitting a Complaint

The Internship Program Director should be the Legislative Intern’s first contact, with the office contacts as alternatives should the Director be the source of the complaint, or they feel uncomfortable going to the Director.