

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H.B. 1044
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH20074-MMxa-139B*

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

Sponsors: Representatives Cunningham, Butler, Adcock, and B. Richardson (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE GENERAL ASSEMBLY TO DEVELOP AND IMPLEMENT
3 MANDATORY ETHICS TRAINING TO PREVENT WORKPLACE HARASSMENT
4 AND OTHER FORMS OF DISCRIMINATION IN THE WORKPLACE, TO ADOPT
5 CLEAR SANCTIONS POLICIES FOR WORKPLACE HARASSMENT AND OTHER
6 FORMS OF WORKPLACE DISCRIMINATION AT THE GENERAL ASSEMBLY, TO
7 CREATE AND IMPLEMENT A COMPLAINT FILING PROCESS THAT IS
8 CONFIDENTIAL, AND TO APPROPRIATE FUNDS.

9 The General Assembly of North Carolina enacts:

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

12 "§ 120-32.05. Mandatory workplace harassment prevention policies, education, and
13 complaint process.

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

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

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

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

29 (3) A complaint filing process that provides for reporting improper workplace
30 conduct and ethical violations to a designated employee administratively
31 located in the office that provides human resource services to the General
32 Assembly. Reports to this individual shall be considered employment-related
33 information and shall be confidential as provided in G.S. 126-22(a). The
34 designated individual shall have the authority to investigate complaints, find



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1 facts, and make recommendations regarding appropriate sanctions to the
2 Commission and the Committee as applicable.

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

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

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

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

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

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

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