

March 19, 2018

Hon. Mitch McConnell  
Majority Leader  
U.S. Senate  
317 Russell Senate Office Building  
Washington, DC 20510

Hon. Charles Schumer  
Minority Leader  
U.S. Senate  
322 Hart Senate Office Building  
Washington, DC 20510

Dear Senators McConnell and Schumer:

As organizations committed to advancing and protecting civil and human rights, equality, access to justice, and transparency, we urge the Senate to act quickly to address discrimination and harassment within the legislative workforce.

Despite the longstanding prohibitions against sexual harassment and sexual assault, these behaviors continue to infect our workplaces and deny workers equal employment opportunities, safety, and dignity. For too long, victims of harassment and assault have lived in silence because of fear of jeopardizing their safety, jobs, financial security, and career prospects, while too often perpetrators – often powerful men – have escaped accountability for their actions, enabled by many who have turned a blind eye to these transgressions. No workplace is free of harassment, whether in the entertainment industry, restaurant kitchens, or the halls of Congress.

It has been reported that four in 10 women on congressional staff said that sexual harassment is a problem on Capitol Hill, and a whopping “one in six said they personally had been victimized.”<sup>1</sup> Additionally, the revelations over the past several months of misconduct by members of Congress and staff members show that the problem is real and these numbers are perhaps only the tip of the iceberg.

Given the severity of the harm and urgency of the moment, we applauded House passage of **H.R. 4924**, the Congressional Accountability Act of 1995 Reform Act and **H. Res. 724** and we believe that they provide a strong foundation for Senate action. Your colleagues in the House of Representatives worked on a bipartisan basis to pass strong reforms expeditiously. The American people expect no less from the United States Senate.

### **Improvements to H.R. 4924**

We recommend the following improvements to H.R. 4924:

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<sup>1</sup> <https://www.rollcall.com/news/predatory-behavior-capitol-hill-sexual-harassment>

- The 180-day deadline for filing a claim under the CAA should begin to toll “on the date of the alleged violation or the date the claimant knew or should have known of the alleged violation” instead of “the date of the alleged violation.”
- The statutory deadline for filing a civil action any time after filing a claim should be extended to at least 90 days.
- Whistleblower protections available to executive branch employees should be extended to legislative branch employees.
- All notice-posting requirements regarding federal anti-discrimination, anti-harassment, and other workplace rights laws covered by the CAA should be applicable to the legislative branch.

We also support extending the protections in the CAA to individuals alleging discrimination or harassment under the Genetic Information Nondiscrimination Act of 2008.

**The Senate bill must include the reforms passed in H. Res. 724.**

While the nation awaits Senate consideration of H.R. 4924, the House has already begun implementing the crucial reforms contained in H. Res. 724. One of the most important reforms, and one we consider essential to the effectiveness of any new statutory scheme to address harassment and discrimination, is the creation of an Office of Employee Advocacy, which would provide legal assistance, counsel, and representation to staff as they maneuver through the internal CAA process. This office would play a critical role in leveling the playing field between employing offices and staff who otherwise may be intimidated and overwhelmed by the CAA process and/or cannot afford legal counsel. The dedicated women and men who work in the legislative workforce deserve nothing less.<sup>2</sup>

The House Resolution also mandates that House offices adopt anti-harassment and anti-discrimination policies. Any Senate reforms must do the same, as such internal policies are the minimum baseline of efforts to prevent workplace harassment and discrimination.

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While the above recommendations are not exhaustive, they reflect some of the key changes that are needed to strengthen the legislative workforce’s reporting and dispute resolution process. Our organizations have a wealth of expertise and stand ready to assist you. We look forward to working with you in the coming days.

For questions please contact Vania Leveille at the American Civil Liberties Union ([vleveille@aclu.org](mailto:vleveille@aclu.org)), Joi Chaney at Equal Pay Today ([jchaney@tidescenter.org](mailto:jchaney@tidescenter.org)), June Zeitlin at The Leadership Conference on Civil and Human Rights ([zeitlin@civilrights.org](mailto:zeitlin@civilrights.org)), Maya Raghu at the National Women’s Law Center ([mraghu@nwl.org](mailto:mraghu@nwl.org)), and Remington A. Gregg at Public Citizen ([rgregg@citizen.org](mailto:rgregg@citizen.org)).

Sincerely,

A Better Balance

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<sup>2</sup> <https://www.rollcall.com/news/politics/harassment-resources-legislative-employees>

American Association of People with Disabilities  
American Association of University Women  
American Atheists  
American Civil Liberties Union  
Atlanta Women for Equality  
California Women's Law Center  
Center for Justice & Democracy  
CenterLink: The Community of LGBT Centers  
Coalition of Labor Union Women  
Communication Workers of America  
Congregation of Our Lady of Charity of the Good Shepherd, US Provinces  
Connecticut Council on Occupational Safety and Health  
Consumer Action  
Earthjustice  
The Employee Rights Advocacy Institute For Law & Policy  
Equal Pay Today  
Equal Rights Advocates  
Equality California  
Equality North Carolina  
Federally Employed Women  
Futures Without Violence  
GLMA: Health Professionals Advancing LGBT Equality  
Government Accountability Project  
Government Information Watch  
GovTrack.us  
Human Rights Campaign  
Interfaith Worker Justice  
KidsAndCars.org  
Lambda Legal  
The Leadership Conference on Civil and Human Rights  
Legal Momentum, The Women's Legal Defense and Education Fund  
Mazzoni Center  
The Multiracial Activist  
NAACP  
National Advocacy Center of the Sisters of the Good Shepherd  
National Alliance to End Sexual Violence  
National Asian Pacific American Women's Forum (NAPAWF)  
National Association of Consumer Advocates  
National Black Justice Coalition  
National Center for Transgender Equality  
National Council for Occupational Safety and Health  
National Council of Jewish Women  
National Education Association  
National Employment Law Project  
National Employment Lawyers Association  
National Equality Action Team (NEAT)  
National Medical Malpractice Advocacy Association

National Organization for Women  
National Partnership for Women & Families  
National Resource Center on Domestic Violence  
National Whistleblower Center  
National Women's Law Center  
Organizational Name  
People For the American Way  
PFLAG National  
Project On Government Oversight  
Protect All Children's Environment  
Public Citizen  
Sargent Shriver National Center on Poverty Law  
Service Employees International Union (SEIU)  
Southwest Women's Law Center  
UltraViolet  
Union for Reform Judaism  
Unite for Reproductive & Gender Equity  
Voices for Progress  
WisCOSH, Inc.  
Women Employed  
Women of Reform Judaism  
Women's Law Project

CC: Members of the United States Senate