

# **RECOMMENDATIONS FOR ACHIEVING THE GOAL OF CREATING AND MAINTAINING A SAFE, RESPECTFUL AND PROFESSIONAL WORKPLACE IN THE IOWA SENATE**

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January, 2018**

## **Background**

In late November of 2017, I was asked to serve as a consultant to the Republican leadership in the Iowa Senate. A highly publicized court case and ensuing settlement had shined the light on some disturbing issues present in the work culture of the Iowa Legislature.

I spent many years of my career as a human resources executive. For 13 years, I represented the citizens of Des Moines and West Des Moines in the Iowa Senate, the last 7 of those years as the President of the Senate. I agreed to accept the opportunity because I felt my background and experience would be helpful and because I was encouraged that people who invited me to do this truly desired to make positive, substantive change.

Due to the diverse management challenges present in the Iowa Legislative branch of government, there is no one person accountable for the actions and behaviors of those engaged in working with, reporting on and attempting to educate and influence elected officials. With this breadth of involvement, it is a daunting challenge to make the serious changes that are required to achieve a safe, respectful and professional workplace.

## **Goal**

The goal of the project is to create and maintain a safe, respectful and professional work environment for everyone who engages in work at the Capitol.

## **Recommendations for Policy and Process**

The first challenge is to make that a shared goal; one that includes not only caucus staffs - Republican and Democrat in both Chambers, Secretary of the Senate staff and Stated Clerk of the House staff, the nonpartisan Legislative Services Agency staff serving all elected officials, it includes elected officials themselves, the media, both credentialed and non credentialed, and the lobby; both the paid and volunteer representatives of a diverse group of organizations who attempt to inform and to influence legislation.

This goal will be publicly articulated at the beginning of every legislative session. Joint media releases will be issued so that everyone at the Capitol and the citizens of Iowa are aware of the goal and of the policy and procedure established to assure goal achievement. Regular measurement and reporting of goal achievement will also be announced.

Broad agreement and support for such a shared vision is required to achieve the goal. To achieve this, **all constituencies active in the Legislative Branch must receive training regarding what constitutes inappropriate behavior and acknowledging in writing they have heard and understood the guidelines.** Expectations must be clear before accountability and discipline can be forthcoming. This training must occur at the beginning of every Session and ongoing individual training must be available for people who are hired or become involved in the legislative process at various times during the session. As proof of attendance and acceptance, everyone will be asked to sign a policy statement indicating they have received the information and are prepared to abide by it. These documents will be kept on file by the leader in the respective offices, or in the office of the Secretary of the Senate.

**There must be a clear path for filing complaints with assurance they will be investigated in a fair and impartial manner without retaliation.** This requires the establishment of a formal complaint process that guarantees a fair and impartial investigation, that assures confidentiality with explicit prohibition of retaliation. The most common starting place for such a process is the immediate supervisor, unless the fear of retaliation is great, or the supervisor is a part of the problem. In that case, the individual may report to the elected leaders; Majority Leader, Minority Leader, or the President of the Senate. When a human resource officer is on board that individual should also be a channel for reporting. Anyone who is designated to hear complaints is obligated to investigate. Persons who are designated to hear complaints must receive training that underscores confidentiality requirements, the need for documentation, and the requirement of timeliness in the investigation and resolution of the complaint.

The Senate *may* designate an outside firm to receive complaints when the individual is not comfortable going to any of the designated leaders.

The complaint process is not limited to employees, it includes all the groups of people described above.

All complaints must be subject to timely investigation, to be outlined in the policy. In some best practice policies, 24 hours is considered an appropriate amount of time for an investigation to take place. In others up to a week is acceptable.

**Accountability and transparency specific to the various groups involved**

**Employees**, where complaints of harassment are founded, are subject to discipline up to and including termination.

**Senators** who are named are subject to a formal complaint filed with the Ethics Committee. There is some concern regarding the consistency and clarity of the process for filing and handling of ethics complaints, the Ethics Committee must immediately clarify the current processes, and establish a specific process that assures a fair and impartial investigation of any and all harassment complaints. The harassment process is unique from other complaints and is designated specifically for investigation of harassment complaints.

Complaints involving **Media**, credentialed or not; and **Lobbyists**, both paid and volunteer, will be reported to their employer or organization with recommended appropriate action. The Secretary of the Senate, in conjunction with the Ethics Committee may deny credentials to individuals subject to complaints.

An early and urgent function of the Human Resource professional will be to further describe the harassment policy recommendations for inclusion in the employee handbook. A secondary task will be to further update the employee handbook.

This will assure the consistency and appropriateness of *all* policies. Expectations of appropriate behaviors will be developed and shared with all constituencies.

Enforcement of these policies will require great discretion since it is paramount that all Citizens of Iowa have full access to their elected officials. It is a fine tradition of the Iowa Legislature that during the session, most elected officials have their primary work place at their designated seats in the Chambers. This tradition is widely respected as it allows constituents direct and timely face to face access to their elected representatives.

During the time I have been working on these recommendations, I have listened to many people with personal experiences at the State Capitol that emphasize the need for this work. All have offered advice and recommendations for needed improvements. The ongoing national societal conversation continues to draw attention to this issue. It behooves the Iowa Legislature to take the matter seriously and to act quickly. While a review of the overall policies and procedures regarding employment and engagement is appropriate, the issue of harassment is clearly urgent and compelling. As of now, there is nothing that has changed to prevent additional inappropriate behavior and ensuing problems. It is my hope these policies will be reviewed, edited and adopted immediately.

I thank Majority Leader Senator Bill Dix and Senate President Jack Whitver and their staff members for their active engagement during this time. I also recognize and thank Minority Leader Senator Janet Petersen for her willingness to engage in and further this work. I am encouraged and truly believe that now is the time to act to make that safe, respectful and professional workplace at the Iowa Capitol a reality.

I am happy to provide further support or information at [kaynmary@gmail.com](mailto:kaynmary@gmail.com) or 515-224-7613.

Respectfully submitted,

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