

MINUTES
Approved by the Committee
Respectful Workplace Task Force Committee
Thursday, February 15, 2018
7:30 A.M.
Room W403
Boise, Idaho

Co-chair Representative Caroline Nilsson Troy called the meeting to order at 7:33 a.m.

The work group members in attendance were: Co-chair Representative Caroline Nilsson Troy; Senators Todd Lakey, Lori Den Hartog and Carl Crabtree; Representatives Tom Dayley and Sally Toone; Chad Houck - Deputy Secretary of State; Carrie Maulin - Chief Clerk of the House of Representatives; Caitlin Lister - Senate Minority Chief of Staff; Jack Lyman - Idaho Housing Alliance; Melissa Davlin - Idaho Public Television; Marty Durand - Idaho Building Trades. LSO Staff: Terri Kondeff - Chief Operations Officer and Tetiana Powell - Administrative Assistant. Absent and Excused: Co-chair Senator Cherie Buckner-Webb, Representative Paul Amador, Jennifer Novak - Secretary of the Senate; Toni Lawson - Idaho Hospital Association.

Co-chair Troy welcomed everyone and invited members to report on their work on sections of the draft.

Melissa Davlin and Chad Houck talked about section B: "Applicability of policy" and new section C: "Confidentiality and Public Disclosure". Ms. Davlin said that after a discussion with Mr. Houck and Brian Kane, Assistant Chief Deputy, Office of the Attorney General, they came to the conclusion that the legal scope of this policy should apply to the legislative members and staff and may require the third parties who frequently interact within the State Capitol to have a policy in place as well. Ms. Davlin and Mr. Houck also discussed what is considered confidential personnel records and what is exempt from disclosure under the Idaho Public Records Law. Ms. Davlin noted that the new section won't work if the properly defined investigatory and disciplinary process is not in place.

Co-chair Troy and Rep. Dayley covered section 1 of the policy. Co-chair Troy said that everyone has to be treated with dignity and respect, not just the protected classes. She talked about language in the opening remarks. Also, Co-chair Troy mentioned if a person feels like a victim of harassment then he/she could seek legal advice outside of this policy as an option. She pointed out if an allegation is in place there has to be immediate action taken.

Jack Lyman proposed to add language for a statement of policy of the Idaho Legislature in the second paragraph and talked about a new generic term for the third party.

Sen. Crabtree spoke about the role of leadership in the policy. He proposed to have members of this work group handle the complaints against leadership due to their better understanding of the process and how current house/senate ethics rules might factor into this as well.

Relating to the contents in section 1, the Committee and Co-chair Troy also discussed:

- Language in regards to job applicants.
- Other states' workplace policies where every minor annoyance and disappointment that an employee may experience during the normal course of performing their job may not constitute harassment.
- The legal definition of protected classes.
- Language about physical assaults.
- Description for places and events outside the legislature where legislators might interact.
- Clear language about employees who are minors that work during the legislative session.

Sen. Den-Hartog spoke about the reporting complaint process. She proposed to simplify the language in section H, similar to the language in Hawaii's policy.

The committee discussed:

- Possible assignment of a designated person within the Legislative Services Office or Department of Human Resources to process complaints.
- Possible involvement of the head of the Legislative Services Office to process complaints against House or Senate Leadership.
- Consideration of male and female avenues for complaint filing.
- The importance of a training component and resources for it.
- Options of places to report to.
- Designated person for statistical data collection, affirmative action.
- Level of training for legislative staff on how to handle complaints from minors/pages.

Marty Durand gave a brief report on due process and harassment complaints for third parties. The topic will get more discussion at the next meeting.

The work group adjourned at 8:34 a.m..