

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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SENATE BILL DRS15309-MMa-72A

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

Sponsors: Senators Smith, Blue, and Foushee (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, 2019, the Legislative Services Commission (LSC) and  
15 the Legislative Ethics Committee (LEC) shall jointly develop, adopt, and implement "zero  
16 tolerance" policies regarding sexual harassment, abuse, misconduct, gender bias, and all other  
17 forms of discrimination in the workplace. The policies developed under this section shall be  
18 incorporated by reference into each chamber's permanent rules and shall include protections for  
19 pages and 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 annual ethics training for all legislators, legislative officers, and  
22 legislative 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, legislative  
28 officers, and 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  
35 facts, and make recommendations regarding appropriate sanctions to the  
36 Commission and the Committee as applicable.



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- 1           (4)    The LSC shall contract with an independent third party to provide the
- 2                    following services related to implementation of this section:
- 3                    a.    Confidential information and advice to individuals who file
- 4                            complaints under subdivision (3) of this subsection.
- 5                    b.    Investigative support and advice to the designated employee receiving
- 6                            and investigating reports of misconduct."

7           **SECTION 2.** There is appropriated from the General Fund to the General Assembly,  
8 Legislative Services Commission, the sum of two hundred fifty thousand dollars (\$250,000) for  
9 the 2019-2020 and 2020-2021 fiscal years to be used to implement this act. The funds shall be  
10 allocated as follows:

- 11           (1)    Fifty thousand dollars (\$50,000) for literature, documents, and training
- 12                    materials required for developing an infrastructure for a mandatory yearly
- 13                    ethics training program that focuses on the identification and prevention of
- 14                    sexual harassment, abuse, misconduct, gender bias, and other forms of
- 15                    workplace discrimination.
- 16           (2)    Two hundred thousand dollars (\$200,000) for contractual services required
- 17                    under Section 1 of this act.

18           **SECTION 3.** This act becomes effective July 1, 2019.