



Permanent Commission
on the Status of Women in Connecticut

**Testimony of Carolyn M. Treiss, Board President
Submitted to the Joint Committee on Legislative Management
Informational Hearing on the Connecticut General Assembly's
Sexual Harassment Policy
March 16, 2018**

Senators Looney and Fasano, Representatives Aresimowicz and Klarides, and distinguished members of the Legislative Management Committee, thank you for the opportunity to submit testimony on behalf of the Permanent Commission on the Status of Women in Connecticut, Inc. (PCSW) on reforms to better address the very real issue of sexual harassment in the legislature. The PCSW is a non-profit organization, which was formed as the result of the elimination in the FY 17 budget of the former state agency of the same name.

We thank legislative leadership for taking the issue of sexual harassment seriously, particularly in the context of the Connecticut General Assembly, which, by its very nature, presents unique challenges for reporting and enforcement. It is our organization's hope that this hearing does not represent the beginning and end of this conversation. Rather, it is our hope that this hearing represents the start of a comprehensive and honest examination that is broader in scope than simply the policy that this hearing seeks to review. We hope that the legislature will examine, with honesty, the power dynamics and institutional sexism that create an environment which can allow sexual harassment to go unchecked and that does not hold perpetrators accountable for their actions.

In recent months, as compelling stories of sexual harassment have emerged from the highest levels of the entertainment industry to the day-to-day lives of service industry workers, our country is being forced to reckon with the fact that sexual harassment remains a common reality in the lives of women across this country despite laws prohibiting such behavior. And as we have seen in our home state, the world of politics is not immune.

Sexual harassment can take many forms, from comments that are meant to humiliate to overt demands for sexual favors. But regardless of the form it takes, sexual harassment is about power, plain and simple. It creates an environment that perpetuates traditional power structures that historically have held women (and people of color, LGBTQ people, people with disabilities and people in other marginalized groups) in positions of lesser value and power. Arguably, in very few other workplaces are power dynamics more at play than in the political world. Power – who has it and who doesn't – is an inherent element in arguably every interaction in this building. Furthermore, women currently make up only 28% of elected legislators – that is to say, those who hold the power are primarily men.

The current sexual harassment reporting policy, as printed in the daily legislative bulletin, states that complaints by or against a legislator should be made to the "appropriate caucus chief-of-staff or a caucus staff person of the opposite gender whom each chief of staff shall designate. Complaints by or against employees "should be brought to the attention of the appropriate caucus chief-of-staff, office director, executive director or manager of the opposite gender." And finally complaints by or against third parties should be brought to the Office of Legislative Management. We find this procedure to be wholly inadequate and lacking any real appreciation for the power dynamics and institutional sexism at work in this building.

The PCSW recommends several changes to the policy as well as additional actions to set a tone that makes it clear to all who enter this building, whether it is their place of employment in a traditional sense or not, that such behavior is not tolerated here and those engaging in such behavior will be held accountable, regardless of their position.

The current policy's reporting mechanism does not offer an option for reporting sexual harassment to a neutral third party outside of the political apparatus of this building. This is an essential element that must be included in the policy, regardless of whom the complaint is lodged against. In other words, it should not matter if the complaint is against a legislator, staff person or other party such as a lobbyist or vendor – the procedure should be the same and must allow anyone to make a confidential report.

Confidentiality is essential. There is great political and career risk to come forward with allegations of harassment in any workplace, but the risk here, especially when the complaint is against a legislator, cannot be overstated.

Once a complaint has been made, there must be a clear and well-defined process for investigation and resolution. The process must instill confidence that not only will all complaints be taken seriously and investigated vigorously, but that a uniform process will be followed, regardless of who is making the complaint and whom the complaint is against.

In terms of complaint resolution and accountability, the PCSW does not support a one-size-fits-all consequence, such as termination or resignation, for all harassment. Rather, there should be clear guidelines that identify types of harassing behavior and consequences that are proportional to the behavior. Such factors as the severity of the conduct, its duration and the number of people harmed, could be factors considered. Once guidelines are set, they should be shared with all staff and be readily available to the broader public.

We also note that the current policy does not define sexual harassment, nor does it explicitly call out other forms of harassment that are meant to denigrate and reinforce power imbalances based on other protected characteristics such as race, sexual orientation and disability. It is essential that the policy acknowledge that workplace harassment can take many forms and is often experienced in a layered manner, for example, a black woman may experience harassment based on both her gender and her race.

Another element missing from current practice is transparency. Regular public reporting of the number of complaints made and how those complaints were resolved is another essential element to instill confidence and create an environment that demonstrates that these issues are taken seriously. If public funds are used for settlements, the public has a right to know. However, such reporting must take extreme care to safeguard the identity of complainants.

PCSW recommends that all policies, procedures, guidelines and reports be made available on the CGA website in a location that is readily identifiable and accessible, not just for those “in the know” but for anyone looking for information.

Finally, the General Assembly must improve the content of its sexual harassment training and must mandate such training for all staff and legislators on a regular basis, such as every two years with the incoming legislature. There should be accountability and consequences for failure to comply. The training must be about more than just understanding what the law is and how to comply with it. It should be an integral part of creating an environment of mutual respect in the General Assembly. It should include a discussion of power dynamics based on gender, race and other protected classes as well as how harassment reinforces those dynamics. We also recommend that the training include bystander intervention as a way to communicate leadership’s support for those who stand up for others in the face of harassment.

As we stated at the outset, we hope that this hearing marks the beginning of an ongoing conversation that is inclusive of many voices. This is the public’s building and everyone who enters it, whether it is their place of employment or not, deserves to be free from harassment and discrimination and to be treated with dignity and respect. And no one, no matter how powerful, should be immune from the consequences of a breach of that trust. Thank you for starting the conversation.