

Congressional Accountability Act of 1995 Reform Act (S. ____)

The Congressional Accountability Act of 1995 Reform Act (S. _____) would update and strengthen the procedures available to victims of harassment and discrimination and other violations of the Congressional Accountability Act of 1995.

OVERVIEW OF LEGISLATION

Fundamental Reform of the Current System

- Overhauls the antiquated dispute resolution process to support victims of harassment and discrimination
- Eliminates the mandatory 30-day “counseling” period, the mandatory 30-day mediation phase, and the 30-day “cooling off” period
- The new process allows a victim to immediately pursue as the initial stage mediation, an administrative hearing through the Office of Congressional Workplace Rights (OCWR), or a civil action in Federal District Court
- Maintains the option for the employee to engage in mediation, but eliminates mandatory mediation

Immediate Protection for Staff

- Provides employees with immediate access to a dedicated advocate who will provide consultation and assistance throughout proceedings before the Office of Compliance, which this bill renames the Office of Congressional Workplace Rights (OCWR)
- Extends protections of Congressional Accountability Act to unpaid staff including interns, detailees and fellows, as well as staff working at Legislative Branch commissions like the Helsinki Commission, the China Review Commission, the Stennis Center and the Congressional-Executive China Commission
- Ensures that remote work and paid leave are options available for an employee to request without fear of retribution
- Provides additional support for state, district and regional Legislative Branch staff to ensure they have the same access to OCWR resources, training opportunities, guidance and advice as Washington D.C.-based Legislative Branch workers.
- Requires notification of rights be posted by all Legislative Branch employing offices
- Requires OCWR to establish an electronic system for taking in claims by victims, tracking those claims throughout the process, and generating reports on various details of claims
- Requires GAO to examine the management practices and cyber security practices of the OCWR

Holds Members Accountable

- Holds Members of the Senate and the House personally accountable by requiring them to repay awards and settlements stemming from acts of harassment they personally commit
- Ensures Members who leave office will still be responsible for repayment, including garnishing non-government wages and retirement annuities to ensure full repayment
- Requires public reporting by the OCWR of awards and settlements, including identifying if a Member of the House or Senate has properly reimbursed the U.S. Treasury
- Requires awards and settlements to be automatically referred to the Committee on Ethics for investigation or further action when there is a claim against a Member or senior staff
- Requires the Committee on Ethics to review within 90 days settlements of harassment claims against a Member of the House or Senate
- Includes a survey of staff each Congress to examine the workplace culture on Capitol Hill