



General Assembly of the Commonwealth of Pennsylvania
Joint State Government Commission
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Report Summary of House Resolution 829 of 2018 ***Sexual Harassment and Misconduct in the Workplace***

House Resolution 829 (Printer's No. 3365) of 2018, adopted June 18, 2018, directed the Joint State Government Commission to "conduct a study and publish a report on the prevalence and outcomes of workplace harassment and sexual misconduct complaints within State government entities, including the Governor and the departments, boards and commissions, authorities and other officers or agencies of the Commonwealth, the courts and other officers or agencies of the unified judicial system, the General Assembly and its officers and agencies and any independent agencies . . .". Specifically, the resolution requested data on claims of sexual harassment and sexual misconduct for each State government agency or entity over the past five years including:

- The number of complaints over the past five years categorized by the type of complaint.
- The number of which resulted in disciplinary action categorized by type of complaint and the type of disciplinary action taken.
- The number of complaints which resulted in referral to law enforcement authorities, categorized by type of complaint.
- The number of complaints which resulted in monetary settlements or awards including the amounts of the settlements or awards.
- The number of inquiries received by the agency or entity about its complaint process or policies related to harassment or sexual misconduct in the workplace which did not result in a complaint, if available.

A total of 597 claims were reported by all agencies, with a variety of disciplinary actions taken, most commonly counseling, suspensions, or termination. Few referrals to law enforcement were made. The total of monetary settlements and awards was in excess of \$1.9 million.

HR829 also directed the JSGC to prepare a comparison of the human resources policies related to workplace harassment and sexual misconduct in place for each State government agency or entity. Virtually every agency defines sexual harassment in terms of what are loosely categorized as *quid pro quo* or hostile work environment claims, although few agencies defined the objectionable behavior in those terms.

Agency policies attempt to protect claimant confidentially, prohibit and punish retaliation, establish a complaint process with alternative paths for claimants based on their individual circumstances, permit initial verbal complaints, require investigations, and provide for training.

All executive branch agencies and many independent and quasi-independent agencies used the policy and management directives of the Governor's Office. The Office of Administration administers and keeps track of those agencies' complaints. The Unified Judicial System operates under the policy of the Supreme Court, which is administered and tracked by the Administrative Office of the Pennsylvania Courts. Legislative service agencies and the General Assembly, as well as the statewide offices of Attorney General, Auditor General, State Treasurer, and a few other independent agencies maintain their own policies and records.

The full report is available on our website, <http://jsg.legis.state.pa.us/>