

Recommended Additions and Modifications to the Missouri Legislative Intern Handbook

Submitted by
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Welcome to the Missouri House of Representatives as a Legislative Intern. We want your experiences in the House to be educational, productive, and to enhance your interest in state government.

As an Intern in the Missouri House, you are part of a legislative body whose work touches virtually every Missourian. The work you will do over the next few months can be both professionally challenging and personally rewarding. We hope it will create the basis for a lifelong interest in civic engagement and, for some of you, a first step toward a legislative career.

As members of the House of Representatives, we take our responsibility seriously to provide a safe environment and positive work climate in which your talents may flourish and your efforts contribute to the State of Missouri.

Please read the following guidelines, policies, and procedures. They will help to clarify both what is expected of you and your rights as a Legislative Intern. Your signature at the end of this document will indicate that you have read, understand, and accept its terms.

Intern Coordination Committee

A House Intern Coordination Committee will be appointed annually by the Speaker of the House in cooperation with the Minority Leader. The Committee will be comprised of:

- (1) Two House Members, representing each political party, appointed as Legislative Intern Coordinators; and
- (2) Two Legislative Assistants, representing each political party and assigned to offices other than those of the Intern Coordinators

The House Intern Coordination Committee will be responsible for overseeing the Intern experience and arranging and scheduling all Intern orientation and evaluation sessions. Interns are required to participate in each scheduled program.

Intern Supervision

One staff member in each legislative office will be identified as the immediate supervisor of the Legislative Intern. This person will be responsible for assigning duties to the Intern, arranging work schedules, and instructing the Intern on the duties to be carried out.

Dress

Lawmaking is a professional activity and those engaged in it must dress professionally and appropriately. Suits and Jackets are strongly encouraged.

Identification Badge

Interns should wear their assigned badge at all times while in the Capitol or at any legislative event attended as part of their duties.

Confidentiality

Sensitive legislative matters are often discussed by legislators and other staff in the presence of Interns. This is a sign of trust. No Intern should ever divulge confidential information for any reason. There are no exceptions.

Political Activity

No Intern should be involved in any political activity during working hours. This also applies, without exception, to political activities on behalf of the legislator to which he/she is assigned.

Absence from Work

Interns should notify their supervisor in the office to which they are assigned if unable to report to work for any reason. Personal appointments (doctor, dentist, etc.) should be made so as not to conflict with the Intern's work schedule, unless in the case of an emergency. Any exception, other than an emergency, must be approved by the Intern's supervisor ahead of time.

Workplace Accommodations

The Missouri House of Representatives provides equal employment opportunities and does not discriminate on the basis of race, color, religion, gender, age, national origin, physical or mental disabilities, or veteran status. The House will make every reasonable accommodation for any employee who qualifies under the Americans with Disabilities Act. Should accommodations be needed, please notify an Intern Coordinator.



The following two policies apply both to Interns serving in the Missouri House of Representatives and those legislators, staff or others with whom interns may interact in the course of their Internship duties.

1. The **Workplace Relationship Policy** seeks to eliminate compromising circumstances under which Interns may find themselves, whether the situation is welcomed or unwelcomed.
2. The **Sexual Harassment Policy** provides specific recourse for Interns who face unwanted behaviors that may arise in the workplace.

Workplace Relationship Policy

The House of Representatives strives to avoid an unprofessional work environment that can potentially result from romantic relationships involving persons in positions of power with those under their supervision, whether the behavior is welcomed or unwelcomed or by whom the behavior is initiated or accepted.

Therefore legislators and staff are prohibited from fraternizing or becoming romantically involved with legislative Interns. This Workplace Relationship Policy is likewise included in the House Members' Policy Handbook.

In support of this policy the following rules shall apply:

1. Interns are prohibited from engaging in sexual or romantic conduct with legislators and/or staff. Legislators are likewise prohibited from engaging in any sexual or romantic conduct with Interns.
2. Interns may participate in job-related activities outside the Capitol complex, however, no Intern shall be required to participate in any activity outside the Capitol.
3. As prohibited by law, no Intern under the age of 21 shall consume alcohol at any event at any time under any circumstances.
4. Each legislator with whom an Intern is assigned must read, understand, and sign a copy of this Legislative Intern Handbook. Likewise, all legislators must read, understand, and sign a copy of the Workplace Relationship Policy referenced in their House Members' Policy Handbook.
5. Each Intern must present a signed copy of this document to his/her immediate supervisor on or before the first day of work.
6. The Intern's supervisor will be responsible for acquiring the signature of each assigned legislator and staff member, including him/herself, of the legislative office to which the Intern is assigned and returning the handbook to the Intern in a timely manner with all signatures in place.
7. With their signature, the Intern, assigned Legislator, and office staff members agree to uphold and abide by the guidelines, policies and procedures included in this document.

Reporting Violations

Those aware of any violation of the Workplace Relationships Policy are obligated to report the infraction to one or more of the following:

1. an Intern Coordinator;
2. the Chief Clerk of the Missouri House of Representatives;
3. the Director of Human Resources;
4. the Intern's faculty advisor; or
5. the Title IX Coordinator at the Intern's university or college

Procedures for investigation and resolution, and policies involving retaliation and malicious complaints, will follow those listed below as part of the Sexual Harassment Policy.

Sexual Harassment Policy

The Missouri House of Representatives is committed to creating and maintaining a work environment in which all members, employees, and Interns are treated with respect and are free from sexual harassment. To this end, sexual harassment by a member or employee of the House will not be tolerated.

The goal of this policy is to ensure that all complaints of sexual harassment will be promptly, thoroughly, and respectfully handled.

Reporting and investigative procedures are designed to encourage members, employees, and Interns to freely report what they believe to be sexual harassment.

Complaints, investigations, and resolutions will be handled as discreetly as possible, with information being shared only with those who have a need to know and as may be required by the House's obligation to comply with the law.

Retaliation will not be tolerated against any person who complains, reports, or testifies about sexual harassment or who participates in an investigation of a sexual harassment complaint.

Disciplinary action will follow when appropriate.

In addition, this policy is designed to eliminate unwelcome sexual conduct and communications which members, employees, and Interns may encounter in the course of their work and which are engaged in by non-employees, including lobbyists, members of the press, visitors, constituents, service personnel, state employees employed by other agencies of government, or other persons.

All those involved in the legislative process have a responsibility to contribute to a respectful work environment. The Missouri House of Representatives encourages, expects, and appreciates cooperation in implementing this policy.

What Is the Scope of the Sexual Harassment Policy and Whom Does It Cover?

This policy applies to:

1. All **MEMBERS** of the House of Representatives
2. All **EMPLOYEES** of the House of Representatives, including permanent, temporary, full-time, or part-time employees, whether hired by the House or by a House member, and any Intern, whether paid or unpaid.
3. All **NON-EMPLOYEES**, with whom House Members and Employees (including Interns) may come into contact while carrying out assigned duties.

This policy covers the interaction of members and employees (including Interns) both within and away from the Capitol Complex, whether within the course of the normal workday or outside normal work hours at legislatively sponsored events, professional meetings, or other activities involving legislative business.

In addition, the House will take such action as is available to protect House members and employees (including Interns) in the course of their work from unwelcome sexual conduct and communications by lobbyists, members of the press, visitors, constituents, service personnel, state employees employed by other agencies, or other persons, and to prevent House members and employees from engaging in sexual conduct and communications that are unwelcome to such persons.

What Is Sexual Harassment?

One of the key elements of sexual harassment is that the behavior is unwelcomed. Sexual conduct or communications that may be welcome to you may be unwelcome to another. Sexual conduct or communications that may have been welcome between two individuals at one time may become unwelcome at a later time.

Unwelcome sexual conduct or communications may violate state law, federal law, or both.

The Missouri Human Rights Commission defines sexual harassment in the Code of State Regulations as follows:

Harassment on the basis of sex is a violation of Chapter 213, RSMo

(A) Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

To make a complaint of sexual harassment, you need not have the basis for a full legal claim to the Missouri Human Rights Commission or other appropriate agency. The House will act to protect its members and employees (including Interns) from unwelcome sexual conduct and communications, whether or not the conduct or communication rises to the level of a legal claim of sexual harassment.

Whose Responsibility Is It To Address and Prevent Sexual Harassment?

Every **member, employee, and intern** of the Missouri House of Representatives is responsible for contributing to a respectful workplace.

The House has a responsibility to:

- Publish and post its sexual harassment policy and procedures;
- Inform and provide training for all employees and members about the House's sexual harassment policy and procedures;
- Train supervisors on their roles and responsibilities in dealing with sexual harassment;
- Promote fair and efficient handling of all complaints; and
- Regularly review its sexual harassment policy and procedures.

Supervisors have a responsibility to:

- Promote a departmental working environment free from sexual harassment and deal with sexual harassment when it is observed or reported;
- Respect the privacy as much as possible of all parties involved in a sexual harassment concern or complaint;
- Promptly report sexual harassment or complaints of sexual harassment to the Chief Clerk of the House;
- Participate in training on sexual harassment provided by the House.

Members, employees, and Interns have a responsibility to:

- Promptly report if they believe they are sexually harassed;
- Participate in training;
- Cooperate with requests for information and data that will help a supervisor or complaint handler carry out her or his responsibilities under these procedures; and
- Be sensitive to and eliminate sexual harassment in themselves and among their peers.

How To Deal With Problem Behavior: Making A Complaint

If you believe you have experienced sexual harassment, you should feel free to complain to the offending person about his or her behavior and to tell him or her what comment, joke, or action disturbed you, and that you want the behavior to stop. You have the right to complain in person or in writing to the offender, but you need not do so if a direct complaint would make you uncomfortable.

If you do not feel comfortable in voicing your complaint directly, if you have complained to the offender and the behavior has not stopped, or if you believe your complaint has resulted in retaliation toward you, report your complaint of sexual harassment or of retaliation as follows:

If you are a House employee, report to any House supervisor, the Chief Clerk of the House, or anyone designated as a contact person by the Chief Clerk.

If you are a House member, report to any member designated as a contact person by your party caucus or to the Chief Clerk.

If you are an Intern, report to an Intern Coordinator, the Chief Clerk of the House, the Director of Human Resources, your faculty advisor, or the Title IX Coordinator at your university or college.

Complaint Investigation

Any supervisor or designated person receiving a complaint must report the complaint to the Chief Clerk of the House for investigation. The Chief Clerk will designate at least one additional person to participate in any investigation. The additional person need not be the same for every investigation. If the complaint is against the Chief Clerk, the report must be made to the Speaker, who will designate two persons to conduct any investigation.

As part of the complaint process:

You will be asked for such details as who was involved in the sexually offensive behavior, what was said or done, how the conduct affected you, and your opinion as to how the situation should be resolved.

Complaints, investigations, and resolutions will be handled as discreetly as possible, with information being shared only with those persons who have a need to know and as may be required by the House's obligation to comply with the law. All complaints will be investigated promptly, thoroughly, and fairly.

Members or employees with information about the sexually offensive behavior may be contacted and are expected to cooperate with any investigation.

The alleged offender will be advised of the complaint and given an opportunity to provide information about what happened and to discuss possible resolution.

The investigator and supervisor of the alleged offender, if the latter is an employee, will discuss the proposed resolution, and you and the alleged offender will be advised of the resolution, with concern shown for the privacy of the parties.

Retaliation against you or any person investigating or participating in a complaint investigation is strictly forbidden and is a serious violation of this policy.

Resolution of a Complaint

Resolution of complaints can include, but are not necessarily limited to, a direction to stop the offensive behavior, counseling or training, oral warning, written warning, transfer to another department, suspension with or without pay, or termination. Disciplinary action involving employees will be handled in accordance with the Progressive Discipline Policy stated in the Administrative Manual of the House of Representatives. Disciplinary action involving members of the House will be handled by the Speaker or by the House, pursuant to House Rule 38, Complaints of Ethical Misconduct.

If the sexually offensive behavior does not stop or re-occurs after you make a complaint, you should immediately bring this to the attention of the Chief Clerk of the House.

Other Options

In addition to or instead of this complaint procedure, you have a right to file a charge of discrimination with the Missouri Human Rights Commission or the United States Equal Employment Opportunity Commission (EEOC) or to consult with an attorney. A charge must be filed with the Human Rights Commission or the EEOC within 180 days of the last occurrence of harassment or retaliation.

Retaliation

No retaliation will be tolerated, whether verbal, nonverbal, or physical, as a consequence of the making of the complaint, and complaints of retaliation will be vigorously pursued. Any person found to have engaged in retaliation is subject to disciplinary action.

Malicious Complaints

Complaints that are found to be intentionally dishonest or malicious will not be tolerated, and any person making such complaint is subject to disciplinary action.

Policy Summary

This policy reflects the strong commitment of the House of Representatives to provide its members, employees, and Interns with an environment free from sexual harassment and retaliation, and to handle all complaints thoroughly and completely, regardless of who brings them or against whom they are brought.

Sexual Harassment Q & A

How Confidential is a Complaint About Sexual Harassment?

All employers have a legal obligation to investigate all complaints. Complaints of sexual harassment will be investigated and handled as discreetly as possible with information being shared with those persons having a need to know and in accordance with legal obligations.

What is Retaliation?

Retaliation is any job-related adverse action against a member or employee (including Interns) who has complained of or reported an incident of sexual harassment, participated in any investigation, or testified in any proceeding relating to a sexual harassment complaint. This could include, but is not limited to, denial of a promotion, a demotion, or conduct by anyone in the workplace that could reasonably be expected to have an adverse impact on an individual's performance.

Retaliation sometimes takes the form of verbal or nonverbal conduct, such as sarcasm, refusal to talk to or look at the employee, or greater demands being placed on the complaining employee than on non-complaining co-workers.

Retaliation is illegal. If you believe you have experienced it because you have complained, reported, or testified about sexual harassment, or participated in an investigation of a sexual harassment complaint, you should report the situation to the Chief Clerk of the House.

What Are Examples of Sexual Harassment?

The following are examples of sexual conduct or communication which, when unwelcome and depending upon the total circumstances, may constitute sexual harassment. Both women and men may be the victims of sexual harassment.

VERBAL HARASSMENT

- Sexual comments, compliments, innuendos, or suggestions about one's clothing, body, or sexual activity
- Turning work discussions into sexual topics, such as sexual practices or preferences, or telling sexual jokes or stories
- Requesting or demanding sexual favors or suggesting that there is any connection between sexual behavior and any term or condition of employment, whether that connection is positive or negative
- Use of obscene or sexual words or phrases or the use of unwelcome words

NONVERBAL HARASSMENT

- Displaying sexually explicit pictures or objects in the work area
- Giving personal gifts of a sexual nature
- Making sexually suggestive facial expressions or gestures
- Making visits to a member's or employee's home or hotel room

PHYSICAL HARASSMENT

- Kissing, or touching, patting, pinching, or brushing against a person's body
- Sexual contact, intercourse, or assault

If you have any questions about this policy, see or call the Chief Clerk of the Missouri House of Representatives, Room 306C, State Capitol, Jefferson City, MO 65101 (8162 or 573-751-3829).

Other Types of Harassment

If you experience unwelcome conduct or communications that make you feel uncomfortable but do not fall under the category of "sexual harassment," you should report them in the same manner as you would sexual harassment. Unwelcome conduct or communications that do not constitute sexual harassment may, nevertheless, be harassment and unacceptable in the Missouri House of Representatives. If you have any questions whether certain conduct or communication rises to the level of harassment, you should contact the Chief Clerk or the Director of Human Resources.

Signatures of Responsible Parties

By affixing my signature below, I affirm that I have read, understand, and agree to abide by all terms outlined in this Handbook.

Intern: _____
Printed Name Signature

House Member
With Whom
Assigned: _____
Printed Name Signature

Intern
Supervisor(s): _____
Printed Name Signature

Printed Name Signature

Points for Additional Consideration:

Consideration should be given to:

- (1) Accepting only Interns who have completed three semesters of college or 40 credit hours.
- (2) Require colleges/universities to set a minimum GPA requirement for participation in the Internship program.
- (3) Require Intern attendance at both a:
 - a. pre-session workshop at which the handbook policies will be explained in detail, questions answered, and ongoing availability of Intern Committee members assured throughout the session; and a
 - b. post-session workshop at which Interns will be surveyed about the perceived value of their Internship, the roles in which they served, their most positive and most negative experiences, and their recommendations/suggestions for changes/additions to the program
- (4) Require Freshman legislators to participate in pre-session Title IX training provided by the House. [This would be added to the House Policy Handbook]
- (5) Require a training session for all Intern supervisors and House members, covering the policies detailed in the Intern Handbook, in addition to professionalism and conduct, supervision, job descriptions, and Title IX requirements . [This would be added to the House Policy Handbook and referenced in the Intern Handbook.]