



August 19, 2022

Dear Senate and Assembly Staff and Colleagues,

We want to take a moment to update you on some progress we've made in our continued efforts to develop improvements in our workplace culture. First, we would like to thank everyone who has shared their concerns with us. Since we last communicated in May, we've been considering that input, talking with others, and taking a close look at what is working and what we can do better in terms of the Workplace Conduct Unit (WCU). At its core, the goal of the WCU is to help foster a culture of respect, civility, and diversity in the Legislature. Like the independent Los Angeles County program the WCU was modeled after, this is a fluid process and subject to ongoing evaluation and modification.

With our input, some improvements have already taken place. We heard two important criticisms – the length of time investigations take and communication to those involved during the investigation process.

- *Time to investigate:* We have provided additional resources to clear the backlog of cases, and as we noted in the letter we sent earlier this year, that backlog has been eliminated. The WCU also has created a target of completing investigations within 60 days. That said, it's important to note that some cases take longer than 60 days – for example, if a key witness or party is on a leave of absence, or a respondent or key witness is not a legislative employee, additional time sometimes is needed to ensure participation.
- *Communication:* With our input, the WCU has committed to providing updates to complainants and respondents at least once a month during investigations, and more frequently depending on developments in the investigation.

We recognize that more can be done, and that is why in the coming months, there will be more improvements to the process:

1. *Navigator assistance.* We plan to work with the WCU to create a position in the WCU for a designated "Navigator," whose job will be to find and relay answers and provide any needed clarity and support for those participating in the WCU process.

2. *Mandatory training.* We also will develop mandatory training for Members and staff on the WCU process, expectations for professional conduct, and workplace culture. The training also will address some of the issues we have identified in our evaluation thus far, including supervisors' duty to report; requirements and limits of confidentiality; and employer/WCU duty to investigate anonymous complaints.
3. *Additional data.* As new changes are implemented, it is also important to clear up misperceptions that may be affecting people's decision whether to utilize the WCU process, including the erroneous assumption that allegations are not being substantiated and/or that discipline has not been imposed. Allegations are being substantiated and discipline is being imposed through the WCU process. We are under a legal obligation, however, to carefully balance personnel confidentiality with the public's need to understand our process. Given that balance, we believe that there is value in releasing some additional data that has previously not been included in our annual update letter. We plan to release the information that may shed some further insight into the WCU process and its outcomes since its inception in February 2019, including the number of substantiated allegations, number of allegations for which discipline was imposed, number of terminations, and average investigation length by year.

Thank you for continuing to provide feedback to help us understand different perspectives on how to make this process more constructive, more seamless, and more effective. The progress we've made thus far is a step in the right direction. We will continue to review our work to ensure the WCU is an effective tool for creating a culture of respect, civility, and diversity.

Respectfully,



Toni G. Atkins  
Senate President pro Tempore



Anthony Rendon  
Speaker of the Assembly