



STATE CAPITOL  
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Assembly  
California Legislature  
Committee on Rules

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DARIO FROMMER (D-ALT.)  
LYNN DAUCHER (R-ALT.)

October 10, 2002

Bob Biddle  
[REDACTED]  
[REDACTED]

RE: Final Written Warning

Dear Mr. Biddle:

[REDACTED] recently brought to the attention of the Assembly Rules Committee an E-Mail you sent to other [REDACTED] staff on July 16, 2002. This E-mail contained strong sexual innuendo and was offensive in nature.

The Assembly's Compliance Officer, Lynda Roper, spoke with you about the July 16<sup>th</sup> E-mail to validate that it was initiated by you. She has indicated you recognize the content of the E-mail to be inappropriate.

Our records show you completed the Assembly's mandatory training concerning the prevention of sexual harassment in the workplace and you are therefore aware of the Assembly's zero tolerance policy. The policy includes suggestive or obscene E-mails as an example of conduct that may be found to violate this policy. By initiating the offensive July 16<sup>th</sup> E-mail, it has been determined that you violated the Assembly's policy.

This letter serves as final written warning that any future conduct that constitutes a violation of the Assembly's Policy Against Sexual Harassment will result in the termination of your Assembly employment.

Nothing in this letter changes the at-will status that applies to you and all Assembly employees.

Sincerely,

[REDACTED]  
Jon Waldie  
Chief Administrative Officer  
California State Assembly

Enclosure

cc: Honorable Tom Harman  
Personnel File ✓

[REDACTED]  
[REDACTED] **Complaint Against Josephine Figueroa**

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

***Incidents #2, #3 & #4: September 2003  
Seating at Movies***

[REDACTED]

*Incident #2*

*September 2003*

*Josephine shut down the office to go watch a movie during work hours. We went to see Love Actually. Once we arrived at the movie theatre, she insisted that I sit next to her. In fact, she asked the others to wait for me to go first and she sat next to me. I moved a seat apart from her and she asked me why. I told her that men like to have space. She insisted that I sit next to her. So I did. [REDACTED]*

*Incident #3*

*September 2003*

*Josephine shut down the office for the staff to go to the movies to see The Last Samarai. I pretended to have to go to the bathroom so everyone else can sit and I'd get to sit somewhere else. But, once again, she held everyone back and made me sit next to her.*

[REDACTED]



[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

*Incident #5: November 2003  
Neck Rub*

[Redacted] *Allegations:*

*I was telling staff that I had a terrible night's rest: and Josephine came behind me and started rubbing my shoulders.* [Redacted]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[REDACTED]

[REDACTED]

***Incident #6: November 2003  
Questions re Personal Relationships***

**[REDACTED] *Allegations:***

*For quite a period, Josephine would question why I wouldn't pick up my phone at work and I would tell her that I knew who it was and that I would call them later. She said that I should be honest with women and not lead them on. She asked who was the person calling and why won't I answer. [REDACTED]*

*Also, on a trip to our District Office, my cell phone was ring while me and Josephine were riding and she asked me why I wouldn't pick up my cell phone and I told her that I knew who it was and she said I need to tell women how I feel about them. She would ask me repeatedly "Who is it?"*

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Incident #7:** [REDACTED]  
[REDACTED]

[REDACTED] **Allegation:**

[REDACTED] *We normally get a card from the office and a cake with a gift card. She bought me some movie tickets and asked me to go with her on errands. I went and after the errands, she took me to lunch and paid for it. We were gone for about 2 hours from the office.* [REDACTED]

[REDACTED]

[REDACTED]





[REDACTED]

[REDACTED]

[REDACTED]

***Incident #10: October 2004  
Hug Following Luncheon***

**[REDACTED] *Allegations:***

[REDACTED] *some of the staff*  
*and Josephine's family met at a deli for lunch. When it was time to leave, she gave people a hug and I got up to leave and as I was walking away, she called me back to come and give her a hug.* [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



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 JOE COTO  
 MERVYN DYMALLY  
 BETTY KARNETTE  
 MICHAEL VILLINES  
 VACANT (D-ALT.)  
 VACANT (R-ALT.)

April 5, 2005

Josephine Figueroa  
 [REDACTED]  
 [REDACTED]

Dear Ms. Figueroa:

As you are aware, we have completed our investigation into the complaints made against you while serving as the Chief of Staff for Assembly Member Gene Mullin. Liz Foster and I asked to meet with you personally to review the findings from the investigation. In our experience, meeting in person to discuss these types of situations provides a better opportunity to have an interactive dialogue with our employee and enhances the prospects for an outcome that works better for the employee as well as for the Assembly. However, you have declined our request to meet in person. Although it was our clear preference to be able to have an interactive dialogue with you, we agreed to discuss our findings with you via telephone on April 4, 2005.

We advised you that our investigation has shown that you failed to demonstrate the leadership necessary to effectively manage the staff assigned to Assembly Member Mullin. Specifically, the following areas of concern were identified:

[REDACTED]

- Your offer of personal advice to a subordinate, special treatment shown toward this individual, and inquiries into personal aspects of his life, led to a complaint being made against you under the Assembly's policy against sexual harassment in the workplace. As you are aware, the Assembly has a zero tolerance policy against sexual harassment. Your actions were construed by your subordinate to be flirtatious in nature and your questions about his personal life were unwelcome.



Printed on Recycled Paper

You resigned your position in Assembly Member Mullin's office effective January 4, 2005. Please be advised, however, that 1) upon your return to active Assembly employment you will be required to participate in supplemental training on the Assembly's zero tolerance policy against sexual harassment in the workplace, and 2) prior to the resumption of any supervisory responsibilities for the Assembly, you will be required to participate in a management training program.

As we have discussed, retaliation against any person who participated in this investigation is strictly prohibited.

Nothing we discussed in this meeting or contained in this letter changes the at-will employment status that applies to you and all other Assembly employees.

Sincerely,

A solid black rectangular redaction box covering the signature of Lynda Roper.

Lynda Roper  
Deputy Administrative Officer  
California State Assembly