

ASSERTED ALLEGATIONS

[REDACTED] Allegations:

1. Rossow has inappropriately touched her by giving her shoulders a hug, kissing her hand, and kissing her on the top of the head

[REDACTED]

[REDACTED] Allegations:

1. Rossow has made comments that contain innuendo of a personal nature

[REDACTED]



STATE CAPITOL
 P.O. BOX 942849
 SACRAMENTO, CA 94249-0115
 (916) 319-2800
 FAX (916) 319-2910

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 LONI HANCOCK (D-ALT.)
 TODD SPITZER (R-ALT.)

October 16, 2007

Scott Rossow
 [REDACTED]

Re: Written Warning

Dear Mr. Rossow:

This letter serves as confirmation of our meeting on October 16, 2007, to discuss the outcome of the internal investigation conducted by the Assembly Rules Committee of allegations of inappropriate comments/actions made by you in the workplace. Lynda Roper, the Assembly's Compliance Officer who conducted the investigation, was present for the meeting.

The Assembly has a zero tolerance policy against sexual harassment. It has been determined that a violation of the Assembly's zero tolerance policy has occurred.

You are consequently being directed to participate in individual counseling and training about sexual harassment and your responsibilities for helping maintain a workplace free from harassment. Your training has been scheduled with Jennifer Shaw, with the law firm of Shaw Valenza, as indicated below:

Monday, October 22, 2007: 10:00 a.m.
 Legislative Office Building
 1020 N Street, Ste. 103

Please be advised that the Assembly Rules Committee takes this matter very seriously. This letter serves as first and final notification to you that any indication of a future violation of the Assembly's policy will be immediately reviewed and, if found to have basis, will result in termination of employment.

You were also reminded that retaliation against any person who you believe might have participated in this process is strictly prohibited. Nothing in this communication changes the at-will status that applies to you and all employees of the California State Assembly.

If you have questions, please contact me at (916) 319-2800.

Sincerely,

[REDACTED]
 Jon Vvaldie
 Chief Administrative Office
 California State Assembly

Enc:

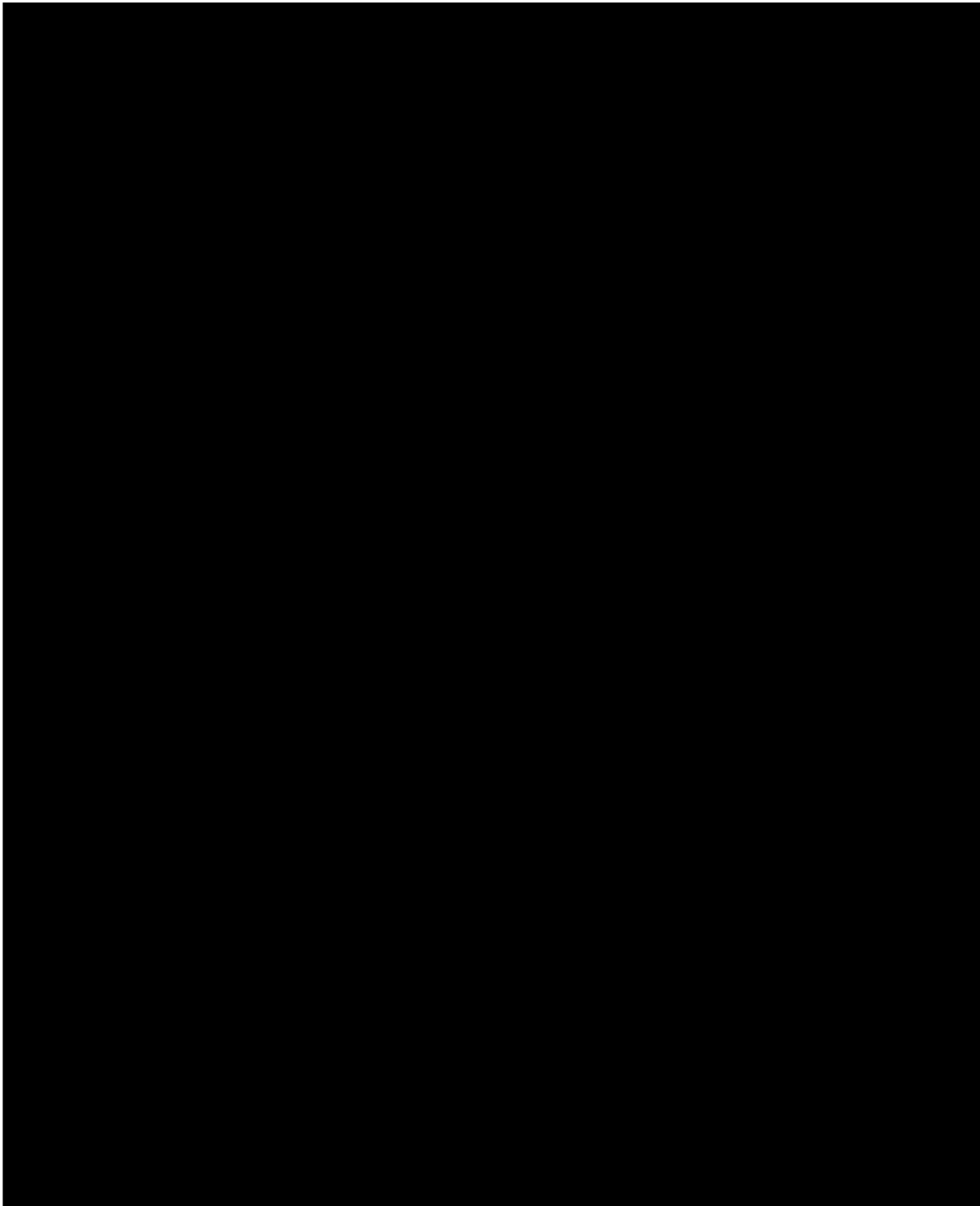
cc: Matt Reilly, Director
 Speaker's Office of Member Services

ISSUE: Conversation with [REDACTED]

DATE: February 26, 2009

RE: Employee complaint involving Nan Rider

[REDACTED] contacted me to discuss a complaint that was brought to [REDACTED] attention involving Nan Rider, District Director. [REDACTED] said that [REDACTED] may have a hostile work environment issue after hearing complaints from [REDACTED].



California Legislature
Assembly Rules Committee

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TELEPHONE: (916) 319-2800

March 24, 2009

Elizabeth Nan Rider
[REDACTED]

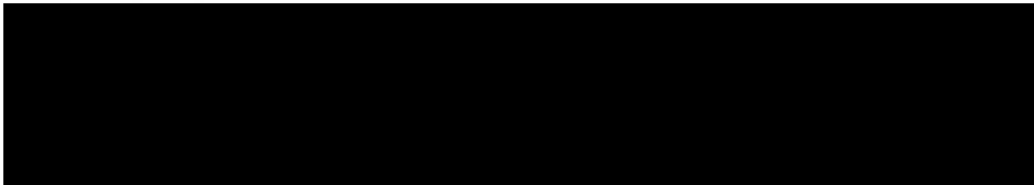
Dear Ms. Rider:

This letter serves as confirmation that Erin Shelby, Human Resources Consultant, completed the investigation of the complaints concerning you that were brought to the attention of the Assembly Rules Committee. Ms. Shelby's investigation addressed complaints that [REDACTED]

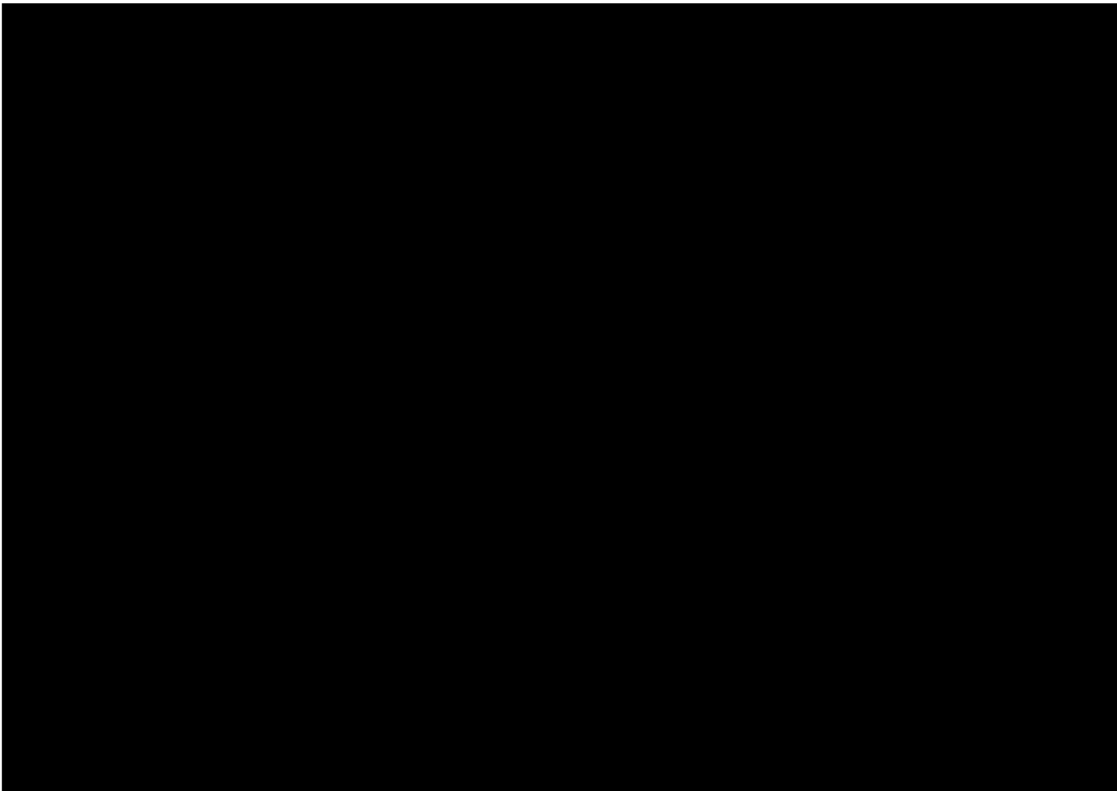
[REDACTED] you have made sexually explicit comments and jokes [REDACTED]

The allegations were largely substantiated by Ms. Shelby's investigation. The following is a summary of the policies contained in the Assembly's Personnel Policy Manual, which the investigation shows you have violated, and the basis for these conclusions:

[REDACTED]

- 
2. **Assembly's Policy against Sexual Harassment**, which has a "zero tolerance" standard regarding sexual harassment in the workplace. The policy includes in the definition of sexual harassment unwanted "visual, verbal or physical conduct of a sexual nature" that has the purpose or effect of creating an intimidating, hostile, or offensive work environment. Conduct which violates the policy includes, but is not limited to: slurs, jokes, statements, gestures, pictures or cartoons.

By your own admission, you have 1) sent sexually explicit e-mails and jokes to your subordinates, and 2) initiated and/or engaged in conversations with your subordinates about your own sex life, the sex lives of current and former subordinates, and the sex life of another individual with whom you are acquainted.



Based upon the findings in this investigation, the Assembly Rules Committee has lost confidence in your professional judgment and ability to continue to serve as Assembly Member Emmerson's District Coordinator.

This letter therefore serves as notification that your at-will employment with the California State Assembly has been terminated effective March 25, 2009. To ensure that

Elizabeth Nan Rider
Page 3
March 24, 2009

there is no misunderstanding, this letter explains in detail both your rights and obligations and those of the Assembly on termination of your employment.


Your employment with the California State Assembly will end effective March 25, 2009. Thereafter, you will no longer be an Assembly employee. On March 25, 2009, you were paid \$11,440.65, less deductions required or permitted by law to your final paycheck. This constitutes all of your earned and unpaid salary together with any accrued and unused vacation pay.

You will also receive continued medical, dental, and vision care benefits until April 30, 2009. In the next few weeks, the Assembly will send you a separate letter regarding your ability to continue your benefits at your own expense pursuant to COBRA (29 USC 1161 et seq.). Please note that if you elect COBRA coverage, you may qualify for a partial subsidy of your monthly premium for a period of up to 9 months pursuant to the American Recovery and Reinvestment Act of 2009.

To ensure you are aware of other benefits potentially available to you through the Employment Development Department (EDD), I have enclosed a copy of an EDD brochure entitled "For Your Benefit: California Programs for the Unemployed."

Any future inquiries regarding your employment with the California State Assembly should be directed to the Assembly Payroll Office at (916) 319-3700.

Sincerely,


Jon Waldie
Chief Administrative Officer
California State Assembly

Enclosures

cc: The Honorable Bill Emmerson

2009 - [REDACTED]

5/4/09:

Informed about complaint during meeting with [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0745
(916) 319-2800
FAX (916) 319-2810

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JIM NIELSEN (R-ALT.)

June 22, 2009

Raul Bocanegra
c/o The Honorable Felipe Fuentes
State Capitol, Room 5136
Sacramento, CA 95814

Dear Mr. Bocanegra:

Jennifer Shaw and Alayna Schroeder, with the law firm of Shaw Valenza LLP, have completed the investigation which was initiated after the Assembly received a complaint regarding your conduct from [REDACTED]

Specifically, Ms. Shaw and Ms. Schroeder investigated:

- 1) [REDACTED] allegations that while she was at a local nightclub staffing [REDACTED] on the evening of April 29, 2009, you a) made inappropriate and unwelcome physical contact with her, and b) made inappropriate and unwelcome verbal remarks to her.
- 2) Your speculation (which you raised during the course of the investigation) that [REDACTED] complaint may have been politically motivated by [REDACTED].

During the course of their investigation, Ms. Shaw and Ms. Schroeder interviewed you, [REDACTED], and 13 other individuals identified by you, [REDACTED], or others as part of their investigation of these issues. The following are the findings from the investigation:

- 1) With respect to [REDACTED] allegations, while no first-hand witnesses were identified who observed the conduct described, the investigation showed that it is more likely than not that on the evening of April 29, 2009, you did engage in inappropriate behavior.
- 2) With respect to your speculation about a political motive for [REDACTED] complaint, the investigation did not identify any evidence that [REDACTED] fabricated her complaint for any political reason or that the complaint was politically motivated.

The Assembly's Personnel Policy Manual provides that employees are expected to conduct themselves in a professional manner, to be courteous in their dealings with the public, and to avoid behavior which might bring discredit to the Assembly and its Members (Section VI. Ethics: Item 5). The Assembly has a very high standard for its Chiefs of Staff and other employees who have supervisory responsibilities. Your conduct on the evening of April 29, 2009, failed to meet the Assembly's expectations for professionalism.

I advised you that based upon the findings of this investigation, you will be placed on a three-day disciplinary suspension without pay. Lynda Roper, Deputy Administrative Officer, will notify you about the dates of your suspension. Please note that if the current salary freeze is lifted within the next twelve-month period, your suspension may preclude you from receiving a salary increase within that time frame.

As a condition of your employment, you are also being directed to participate in individual counseling and training about your responsibilities regarding professionalism in the workplace. Lynda Roper will make arrangements for this program and you will be notified about the time and location of the training.

Further, it is my expectation that you will remain compliant with all of the Assembly Rules Committee's mandatory training requirements throughout your remaining tenure with the Assembly. I understand you participated in these programs - including the management components of the Sexual Harassment Prevention and Violence Prevention Training Programs - on Friday, June 19, 2009.

Finally, I instructed you not to communicate with [REDACTED] if you encounter her in the building or at legislative events outside of the building. If you have a business need to interact with [REDACTED] office in the future, I instructed you to contact the [REDACTED] Chief of Staff directly to make any necessary arrangements to ensure [REDACTED] is not put in a position of having to interact with you.

The Assembly strictly prohibits retaliation against anyone who participated in this process. This letter serves as notification that any indication of future conduct that is retaliatory in nature or may otherwise constitute a violation of the Assembly's policies, will be immediately investigated and, if found to have basis, may result in termination of your employment.

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,

[REDACTED]
Jon Waldie
Chief Administrative Officer
California State Assembly

cc: The Honorable Felipe Fuentes
[REDACTED]



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(916) 319-2800
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CHAIR

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TOM TORLAKSON
MARIKO YAMADA

MIKE DAVIS (D-ALT)
JIM NIELSEN (R-ALT)

June 22, 2009



Dear [REDACTED]:

Jennifer Shaw and Alayna Schroeder, with the law firm of Shaw Valenza, LLP, have completed their investigation of the complaint you raised regarding Raul Bocanegra, who is an employee of the California State Assembly.

The investigators looked into your allegations that while you were at a local nightclub staffing [REDACTED] on the evening of April 29, 2009, Mr. Bocanegra 1) made inappropriate and unwelcome physical contact with you, and 2) made inappropriate and unwelcome verbal remarks to you. During the course of their investigation, Ms. Shaw and Ms. Schroeder interviewed you, Mr. Bocanegra, and 13 other individuals identified by you, Mr. Bocanegra, or others.

This letter serves as confirmation of our meeting on June 22, 2009, with Lynda Roper, the Assembly's Deputy Administrative Officer, and Dina Hidalgo, Senate Director of Personnel, during which we discussed the findings from this investigation.

During the course of the investigation, it was established that there were no security cameras in the nightclub and no first-hand witnesses were identified who observed the conduct you described. The investigation showed that Mr. Bocanegra did not go to the nightclub on April 29, 2009, in connection with his role as an employee of the California State Assembly. Nevertheless, the findings from the investigation show it is more likely than not that Mr. Bocanegra engaged in behavior that night which does not meet the Assembly's expectations for professionalism.

You told the investigators that the remedies you were requesting were that 1) Mr. Bocanegra would be prohibited from attending work-related social events that involve alcohol, and 2) you do not want to see him at work or social events you are required to attend because of your position with [REDACTED].



Mr. Bocanegra will be instructed not to communicate with you if you happen to encounter one another in the Capitol or at legislative events. He will also be instructed to contact your Chief of Staff if he has a business need to interact with [REDACTED] office. The Assembly Rules Committee will also be taking additional appropriate action to help ensure there are no recurring issues.

While the Assembly Rules Committee has expectations that staff conduct themselves professionally outside of the workplace and is able to take corrective action if these expectations are not met, we are not able to direct how or where employees spend their time before or after normal business hours. I am therefore asking your assistance in immediately notifying Lynda Roper, Dina Hidalgo, or me if there are any future problems.

In addition, please be advised that the Assembly Rules Committee strictly prohibits retaliation. If in the future you believe anyone is retaliating, or has retaliated, against you as a result of your complaint or its investigation, please notify us immediately.

Thank you again for your participation in this process.

Sincerely,

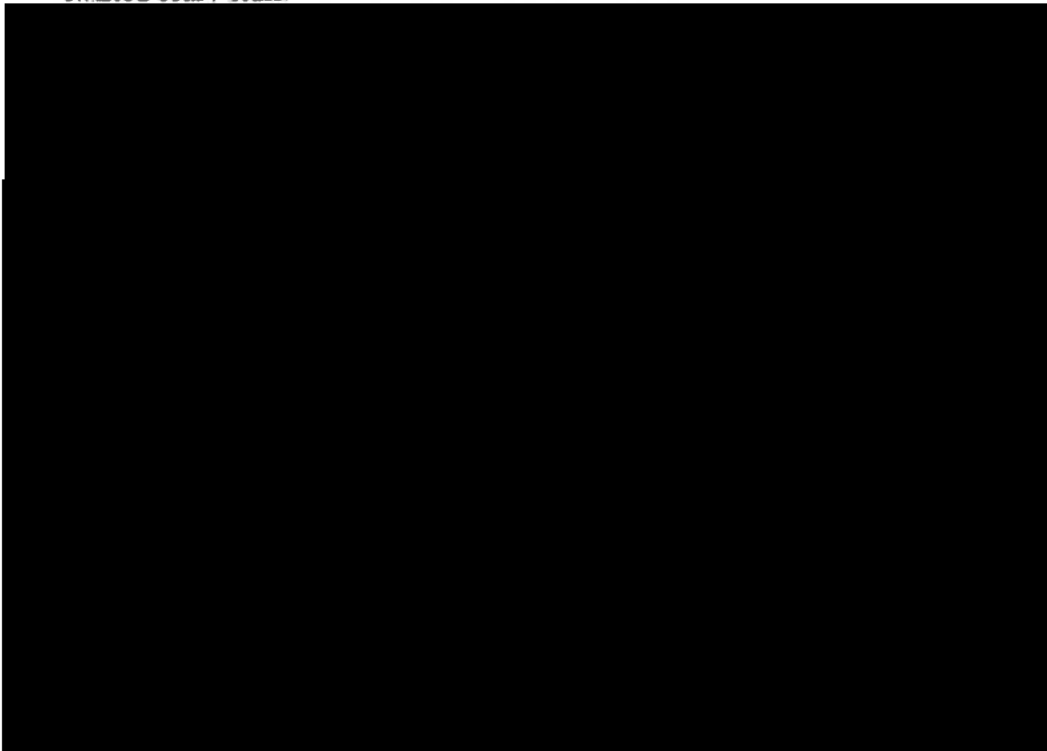
[REDACTED]
Jon Waldie
Chief Administrative Officer
California State Assembly

cc: Dina Hidalgo
Senate Director of Personnel

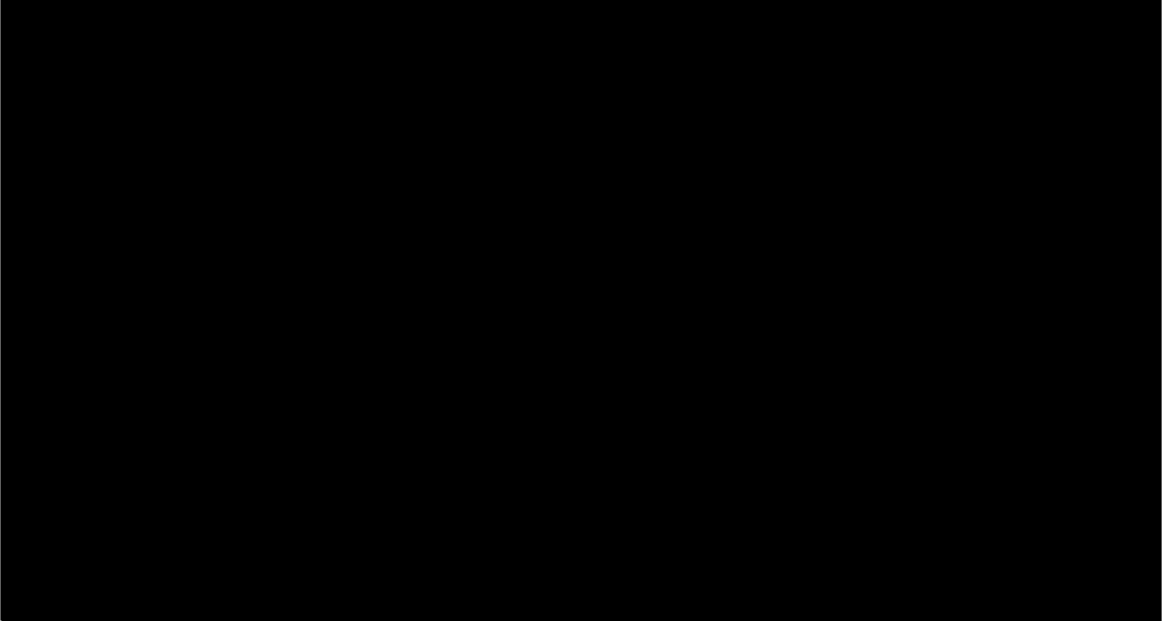
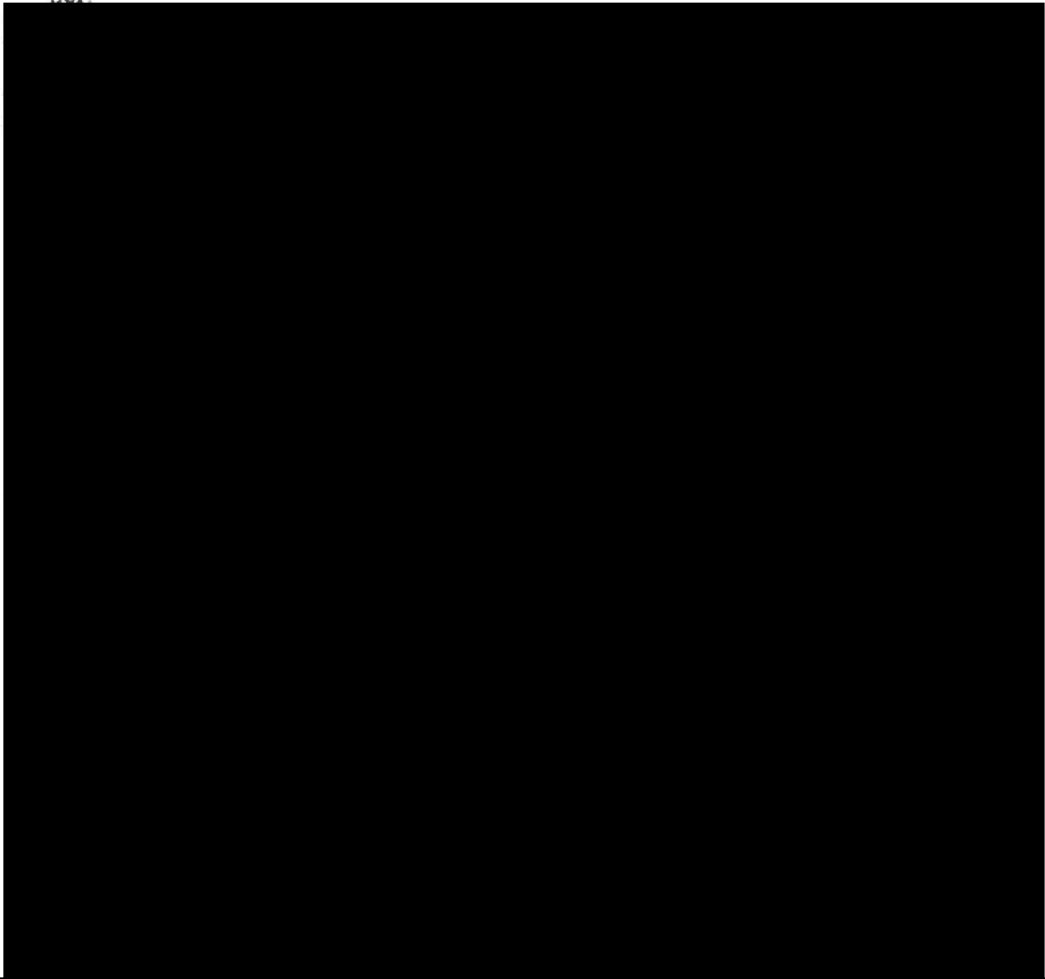
Liz Foster's Notes:

On Monday, May 11, 2009, [REDACTED] called and requested to meet with me on a personal matter related to his employment. We agreed to meet at 1:30 p.m. [REDACTED] arrived in my office and expressed concern about how to proceed, as he was here to file a complaint and the person he would be complaining about was very close to both the mid-level and high level supervisors and he was fearful of retaliation for bringing his concerns forward. I advised him that I could not promise confidentiality if he shared a complaint regarding behavior that potentially violated Assembly policy and he stated that the behavior was definitely in violation of Assembly policy and he didn't expect anonymity, again he was just fearful of retaliation as he sees is occurring on a daily basis in his work. At that point he agreed to proceed with sharing his concerns and opened a folder that contained a written summary of his concerns that he read from. He advised me that his complaint was about [REDACTED] Jim Davit (Special Services Supervisor – Swing Shift). As follows are bullets of the main points that he raised during our conversation:

- [REDACTED] stated that Jim frequently calls him: his bitch, pussy, 'biatch' and other references to genitalia.
- [REDACTED] stated that Jim makes comments that he is going to shoot his wad on [REDACTED]
- [REDACTED] stated that Jim regularly calls [REDACTED] over to look at his computer both alone and in front of others and has him look at inappropriate e-mails, or websites. When I asked him if it was pornographic material, he said no it was more violent scary stuff. I said like graphic violence, he said no like illegal sexual acts, really twisted scary stuff.



➤ Jim tells [REDACTED] to go fuck his girlfriend and then to call Jim while [REDACTED] is fucking her.



California Legislature Assembly Rules Committee

ROOM 3016 — STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CALIFORNIA 94249-0115
TELEPHONE: (916) 319-2800

July 20, 2009

Jim Davit


Dear Mr. Davit:

Ben Webster, with the law firm of Littler Mendelson, has completed the investigation which was initiated after it was learned that you may have engaged in conduct violating one or more of the Assembly's policies. Specifically, Mr. Webster investigated allegations that:

1. You used your Assembly computer to access inappropriate web sites,
2. You used your Assembly computer to send and receive sexually-explicit photos and videos to other Assembly employees (including your subordinates) and outside parties; and
3. You made inappropriate remarks to your subordinates.

When I informed you of these allegations on May 18, 2009, you denied engaging in such conduct.

During the course of his investigation, Mr. Webster interviewed you and eight witnesses. Additionally, at the Assembly's request, the Legislative Data Center's (LDC) Information Security Office assigned an investigator to collect and report on the forensic information contained on your Assembly computer account. LDC provided a comprehensive investigative report.

During our meeting on July 20, 2009, I informed you of the following findings from the investigation:

- 1) Use of your Assembly computer to access inappropriate web sites:**
During your June 5, 2009, interview with Mr. Webster, you continued to deny any inappropriate use of your Assembly computer. In a subsequent interview on July 8, 2009, you admitted that you inappropriately accessed X-rated web sites on your Assembly computer on numerous occasions during the past few years. The information contained in the LDC's report contains evidence showing that, dating back to 2006, you frequently accessed pornographic and other sexually-explicit web sites from your Assembly computer.

2) Use of your Assembly computer to send and receive sexually-explicit photos and videos to other Assembly employees (including your subordinates) and outside parties:

During your June 5, 2009, interview with Mr. Webster, you denied sending or receiving inappropriate materials on your Assembly computer. During your subsequent interview on July 8, 2009, you admitted that you sent and received e-mails with inappropriate sexually-explicit images and videos on your Assembly computer during the past few years. The information contained in the LDC's report contains evidence showing that you frequently e-mailed sexually-explicit material to Assembly employees (including your subordinates) and outside parties.

3) Inappropriate remarks made to your subordinates:

During your July 8, 2009 interview, you -- a supervisor -- admitted that you used profanity in the workplace and called your subordinates by obscene names in jest.

The Assembly's Personnel Policy Manual provides that employees are expected to conduct themselves in a professional manner, to be courteous in their dealings with the public, and to avoid behavior which might bring discredit to the Assembly and its Members. (Section VI. Ethics: Item 5.) The Assembly has a very high standard for its employees who have supervisory responsibilities. Your conduct fails to meet the Assembly's expectations for professionalism.

Your conduct has also been found to violate 1) the Assembly's zero tolerance standard for sexual harassment in the workplace, 2) the Assembly's Computer Use Policy, and 3) the provision of the Assembly's Personnel Policy Manual which states: "It is illegal to use state resources for personal or campaign purposes. State resources include the employee's time while on state payroll, state-owned property (computer, telephone, facsimile, copy machines, etc.), and state offices." (Section VI. Ethics: Item 6.)

Based upon the findings of this investigation, I informed you that you can no longer function in the role of a supervisor. However, given your lengthy tenure with the Assembly, I told you that you were not being fired. Instead, you were informed that if you wished to remain an Assembly employee, you would be demoted and you were offered a position as a Special Services II, working the day shift, with a corresponding reduction in your salary. Should you choose to accept this offer, your new salary will be \$3,679 per month. If the current salary freeze is lifted within the next twelve-month period, this disciplinary action may preclude you from receiving a salary increase within that time frame. Please let Lynda Roper, Deputy Administrative Officer, or me know whether you wish to accept this offer by July 27, 2009.

In the meanwhile, I told you that you will be placed on a two-week disciplinary suspension without pay effective immediately. Your suspension will begin on July 21, 2009, and extend through August 3, 2009.

If you decide to accept the offer being extended, you will also be required to participate in individual counseling and supplemental training on Assembly policies and your responsibilities regarding professionalism in the workplace.

The Assembly strictly prohibits retaliation against anyone who participated in this process. This letter serves as notification that any indication of future conduct that is retaliatory in nature or may otherwise constitute a violation of the Assembly's policies, will be immediately investigated and, if found to have basis, may result in termination of your employment.

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,



Jon Waldie
Chief Administrative Officer
California State Assembly

cc: Ron Pane
Chief Sergeant-at-Arms

California Legislature
Assembly Rules Committee

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P.O. BOX 942849
SACRAMENTO, CALIFORNIA 94249-0115
TELEPHONE: (916) 319-2800

July 31, 2009

[REDACTED]

Dear [REDACTED]

I am writing to follow up on our July 23, 2009, telephone conversation, during which I informed you that the investigation into the complaint you registered with the Assembly Rules Committee has been completed. I told you that the Assembly Rules Committee has taken appropriate action to help ensure there are no recurring issues.

[REDACTED]

Thank you again for bringing your concern to our attention and for your cooperation during the investigation. Please let me know if you have questions or I may be of any assistance to you.

Sincerely,

[REDACTED]

Lynda Repet
Deputy Administrative Officer
California State Assembly

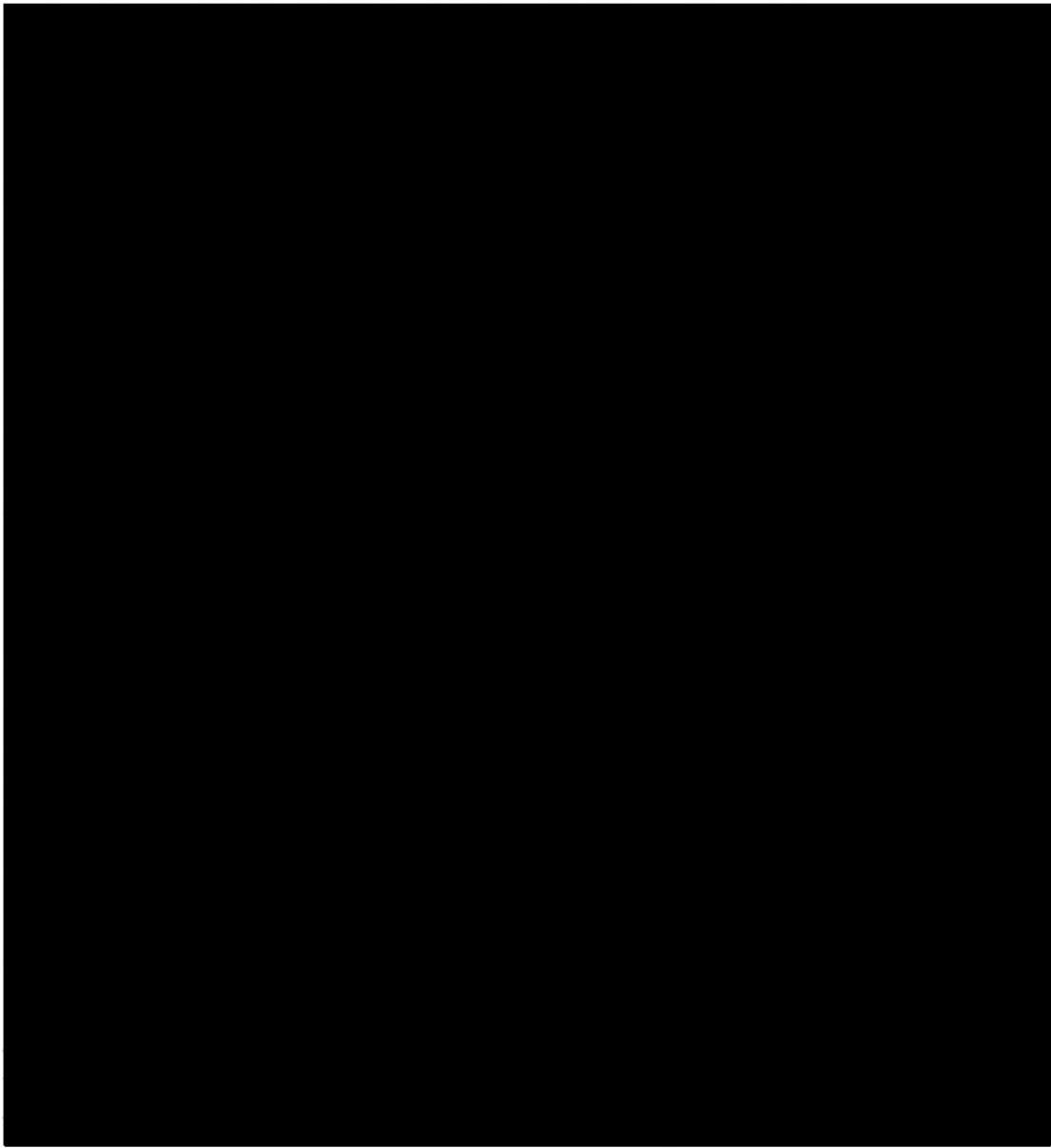


April 30, 2010.

Note to File – [REDACTED] (Mendoza)

I spoke to [REDACTED] today regarding her concerns with Assemblymember Mendoza.

[REDACTED] stated that the area she wanted to discuss was in her mind a "grey area." [REDACTED] stated that she wanted to speak confidentially. I explained to [REDACTED] that if she shared something with me that was a possible violation of Assembly Policy I had a duty to report that information and look into it. [REDACTED] stated that she understood but did not want to get anyone in trouble.





Linda Hansma
HR. Consultant

MEMORANDUM:

To: File

From: Lynda Roper

Subject: Chronology: [REDACTED] Complaint against Assm. Tony Mendoza

Date: September 2010

[REDACTED]

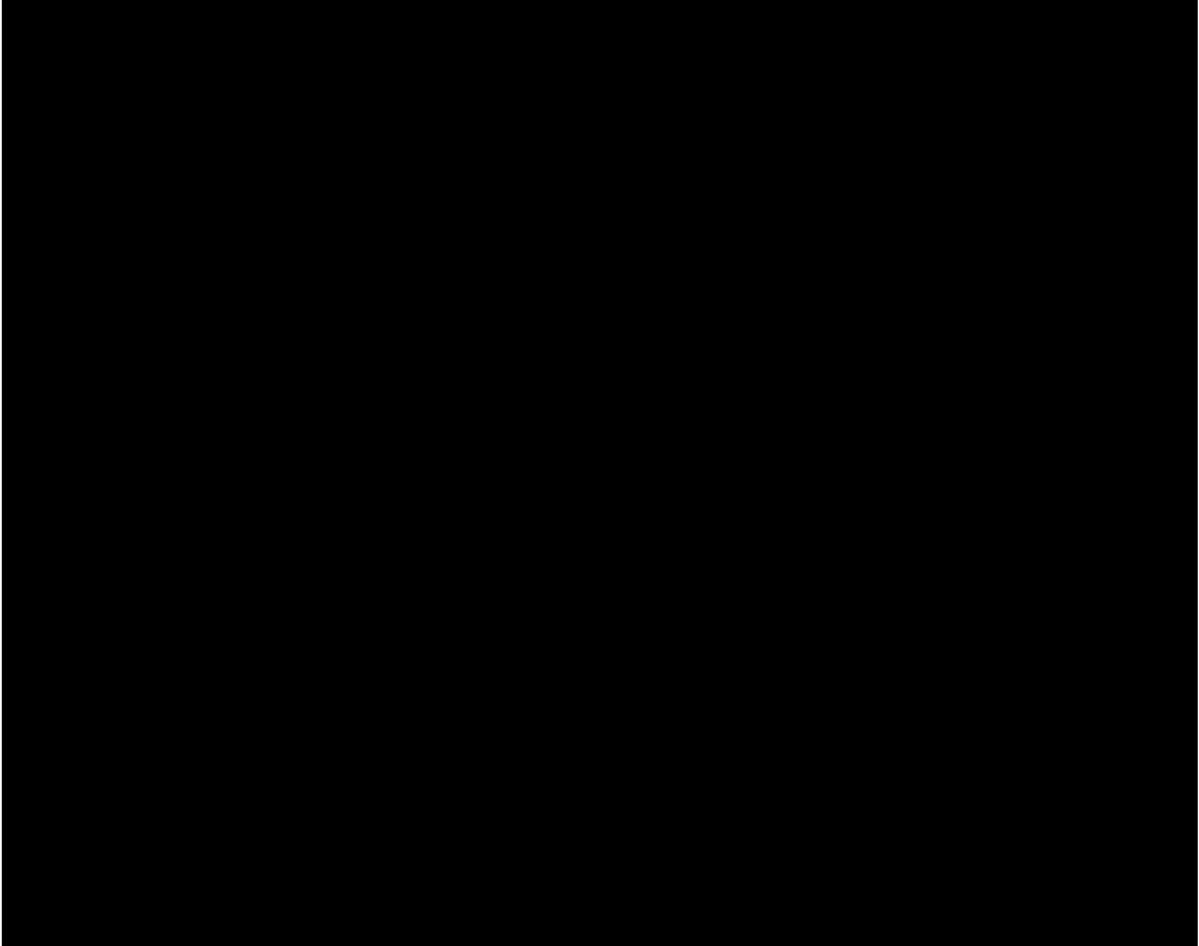
9/22/10:

[REDACTED]

[REDACTED]

[REDACTED] said she feels she is being treated differently than other staff, she feels very uncomfortable about Mendoza's behavior toward her, and is afraid to say no to him for fear of losing her job. [REDACTED]

[REDACTED]



10:30 a.m.

Met with Mendoza, explained the general nature of the concern that was brought to my attention earlier in the week. He said he understood the complaint was coming from [REDACTED]; I confirmed that this was the case. I covered the following agenda:

- [REDACTED] feels she is being treated differently.
- [REDACTED] cited frequent text message that have no business correlation. Mendoza does recall texting [REDACTED] frequently toward the end of session, including one from [REDACTED] asking what was going on. He could not recall who initiated the exchanges and said that there was a lot of down time when Members were in the Chamber. I told him that she has perceived some of his text messages as being “flirtatious” in nature. I

encouraged him to text her only when there is a business-related reason and to be mindful of the need for professionalism in the. Mendoza said he understood and would be mindful of these recommendations.

- Invitations to lunch/dinner/drinks that don't include other staff and that it doesn't seem to be his practice to meet one-on-one with other staff off-site. Mendoza said there have been times when he has had one-on-one lunches/dinner/drinks with other staff, citing [REDACTED] and "maybe" [REDACTED]. He said it was his belief that 1) she wanted these outings to discuss her future plans, which may include running for office, and 2) given his limited time in the office and interruptions while there, it seemed better to have these discussions off-site.
- A couple of times when he hugged [REDACTED] (in lieu of a handshake or simple goodbye). Mendoza acknowledged he has hugged [REDACTED] in the past, but says he hugs everyone and said, for example, he hugged [REDACTED] when he arrived in the office this morning. I counseled him that this comes with peril; he should definitely not hug [REDACTED] in the future and should avoid hugging any subordinates altogether. He said he understood and would be mindful of this in the future.
- [REDACTED] is afraid to say "no" or say she is uncomfortable for fear of retaliation by Member. Mendoza said that he understands the need to avoid retaliation; that he saw [REDACTED] after [REDACTED] informed him about her concerns and didn't treat her differently then. He said he has no job-performance concerns and doesn't anticipate there being any that will need to be addressed.

Mendoza was calm throughout the meeting and did not give any indication he was upset or angry with [REDACTED]. He expressed concern that other people might be talking about this; I informed him that I have cautioned everyone I have spoken with about the importance of not discussing this matter with others. I told him I would follow up with [REDACTED] and tell her that if she wants to discuss this matter with him, she should be the one to initiate that conversation; if she doesn't do that, he should not raise the matter with her, but just move forward in a professional way.

9/24/10:

Followed up with [REDACTED]

[REDACTED] I also told her that based upon my meeting with Mendoza, he did not appear to be angry or upset, but perplexed and that in my judgment, I didn't anticipate a future problem. I also told her

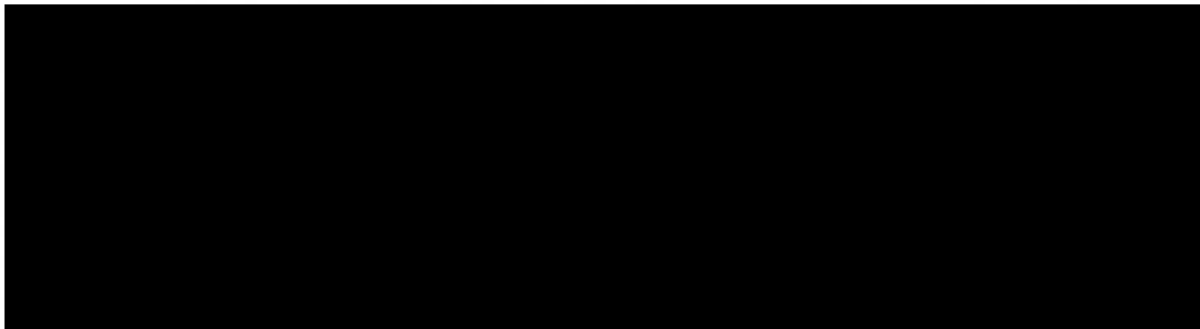
that even if he was mad at her, that shouldn't matter provided he treats her professionally.
She agreed to call me if any problems arise.

Memorandum to File

Re: [REDACTED] Complaint Re Assembly Member Travis Allen

From: Lynda Roper, Compliance Officer

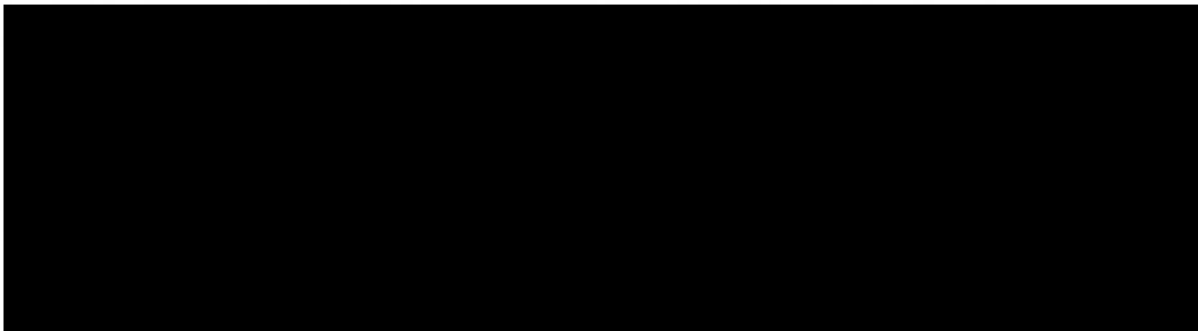
Date(s): February 1, 2013 – February 4, 2013



[REDACTED] cited the following incidents that caused her to speak to [REDACTED] about her concerns:

- Mr. Allen recently came up to her office door and stood there with his arms spread open. She waved to acknowledge his presence. He responded by saying "You can do better than that!" He then entered her office and moved progressively closer to her, standing right beside her chair, making her feel uncomfortable. She said this is not the first time his actions have made her feel uncomfortable. She said he seems to make a practice of being unnecessarily close to her.
- During a [REDACTED] briefing when she was sitting next to him, he slid his foot over so that it was touching hers.
- On January 31, 2013, when she was in the cafeteria, Mr. Allen approached her from behind, put both hands on her shoulders and gave them a squeeze.

[REDACTED] stated that another woman in the office told her that when she shook hands with Mr. Allen, rather than releasing it within a normal time frame, he continued to hold onto her hand and "petted it."



On Monday, February 4, 2013, Jon Waldie spoke with Mr. Allen to advise him that he had learned about complaints by two women that they perceived him as being too familiar and it was making them feel uncomfortable. He said he could not recall a time when he might have been too familiar with staff, but did recall times when two women outside became overly friendly with him outside of the building while at an event. Mr. Waldie reminded him to be very conscious of his conduct.

I followed up with an e-mail to [REDACTED]
[REDACTED]

Hi Lynda, [REDACTED]
[REDACTED]

Thank you again for taking the time to speak with me last week. I also appreciate the prompt follow up. I'll let you know if I encounter any other issues.

[REDACTED]

From: Roper, Lynda
Sent: Monday, February 04, 2013 1:22 PM
To: [REDACTED]
Subject: Follow-up

Good Afternoon [REDACTED],

Jon Waldie spoke with the Member we discussed on Friday in a generic way. The message has been delivered and is hopefully understood.

Please contact me if there are any continuing concerns~ And thank you for your willingness to speak with me about it.

Lynda
X-3713

Memorandum:

To: File

From: Lynda Roper, Deputy Administrative Officer

Subject: Chavez Office Complaint

Date: 8/14/13 – 9/4/13

Background Information:

[REDACTED]

The conduct related to [REDACTED], included descriptions of Mr. Zamarron's weekend exploits and pornography on his computer. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] When asked to describe the behaviors that made her feel this way, [REDACTED] cited the following.

- He talks about his weekends and people he's slept with. Every once in a while someone from the building who works in another office will stop by to drop something off; when she leaves Mr. Zamarron makes comments like "That may or may not have been awkward. She may have seen me naked."

[REDACTED]

California Legislature Assembly Rules Committee

ROOM 3016 — STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CALIFORNIA 94249-0115
TELEPHONE: (916) 319-2800

MEMORANDUM

To: Anthony Zamarron, Chief of Staff
Office of Assembly Member Rocky Chavez

From: Lynda Roper, Deputy Administrative Officer *LR*
Assembly Rules Committee

Subject: Staff Complaint

Distribution: The Honorable Rocky Chavez

Date: September 4, 2013

This memorandum is written in follow-up to our meeting on August 28, 2013, during which I informed you about complaints brought forward by [REDACTED]. I reviewed with you the nature the complaints, which have to do with inappropriate comments made in the workplace.

You said you understood some of the concerns that were raised. There were some statements attributed to you that you denied making or felt were taken out of context. Some of the statements you do not recall having made were reported to me by more than one person.

We discussed the Assembly's expectations for professionalism in the workplace. As a Chief of Staff, these standards are especially high, and you are expected to serve as a role model for the office. You said you understood these expectations and took the concerns brought forward seriously.

As we discussed during your interview, the Assembly does not tolerate retaliation. Be advised that any future allegations of inappropriate conduct and/or retaliation will be further investigated and, if founded, may result in disciplinary action up to and including termination of employment.

Please contact me at 319-3713 if I may be of assistance or if you have questions.



Assembly Rules Committee – Human Resources Office

Date of intake interview:	Thursday, August 20, 2015, 1:30-3:15pm
Complainant:	[REDACTED]
Office:	[REDACTED]
Position Held:	[REDACTED]
HR Staff Person:	Maria Daniells
Nature of Complaint:	Inappropriate touching by [REDACTED] William Scott ("Rossow") Rossow, Senior Consultant

[REDACTED]

[REDACTED]

[REDACTED] stated that there was an incident that occurred the day prior, August 17, 2015, between her and [REDACTED] Scott Rossow ("Rossow"). [REDACTED] stated that she was in extreme disbelief of what happened, felt that Rossow was inappropriate, and stated that he made her uncomfortable.

[REDACTED]

California Legislature Assembly Rules Committee

ROOM 3016 — STATE CAPITOL
PO. BOX 942849
SACRAMENTO, CALIFORNIA 94249-0115
TELEPHONE: (916) 319-2800

October 27, 2015



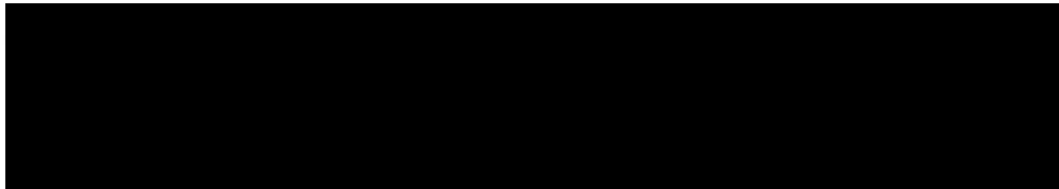
Dear [REDACTED]:

Maria Daniells, Human Resources Specialist, has completed the investigation into a complaint you registered against [REDACTED], asserting that he inappropriately touched you on August 17, 2015.

During the course of the investigation, Ms. Daniells interviewed you, [REDACTED], and eight other individuals. This letter memorializes our meeting with Lynda Roper, Deputy Administrative Officer, on October 27, 2015, during which we informed you about the findings from the investigation.

Based on the interviews conducted and documents reviewed, Ms. Daniells found it is more likely than not that the conduct you alleged did occur. [REDACTED] conduct was found to violate the following Assembly policies:

- Policy against Sexual Harassment: The Assembly has a strict, zero tolerance policy prohibiting sexual harassment in the workplace.



During our meeting we informed you that based upon the findings from the investigation, appropriate corrective action is being taken. We also informed you that that Assembly's Policy against Sexual Harassment includes post-investigative rights for both the accused and the complainant, which must be exercised within 10 days of notification of the findings from an investigation. A copy of the policy is enclosed.



Printed on Recycled Paper

In conclusion, please be reminded that the Assembly Rules Committee strictly prohibits retaliation. If in the future you believe anyone is retaliating, or has retaliated against you for your participation in this investigation, please notify me or Ms. Roper immediately. On the other hand, you may not retaliate against anyone who you believe participated in this process. Finally, if you believe anyone else who may have participated in this investigation has become a victim of retaliation because of their participation in this process, please inform me or Ms. Roper immediately.

Sincerely,



Debra Gravert
Chief Administrative Office
California State Assembly

cc: Investigation Binder

Encl. California State Assembly Policy against Sexual Harassment

California Legislature Assembly Rules Committee

ROOM 3016 — STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CALIFORNIA 94249-0115
TELEPHONE: (916) 319-2800

October 26, 2015

William Scott Rossow
[REDACTED]

Dear Mr. Rossow:

Maria Daniells, Human Resources Specialist, has completed the investigation into a complaint registered by [REDACTED], who asserted that on August 17, 2015, you inappropriately touched her.

During the course of the investigation, Ms. Daniells interviewed you, the complainant, and eight other individuals. This letter memorializes our meeting with Lynda Roper, Deputy Administrative Officer, on October 26, 2015, during which we reviewed the allegation Ms. Daniells investigated and findings from the investigation, which follow:

Allegation: The complainant alleged that you inappropriately touched her on August 17, 2015, stating that while the two of you hugged, you placed your right hand on her left buttock, and then moved your hand towards her inner thigh, touching her vaginal area. Additionally, the complainant alleged that you used your left hand to hold her close so that she could not leave.

Based on the interviews conducted and documents reviewed, Ms. Daniells found that these allegations were substantiated, meaning it is more likely than not that the alleged conduct did occur. This finding is based, in part, upon the following:

- Your statement that your hand was placed on the complainant's buttock when you hugged on August 17, 2015. While you first stated your hand "may" have been placed on the complainant's buttock, when asked if your hand moved toward her vaginal area, you stated "No," and confirmed that your hand remained on her buttock. This contradicted your initial statement that you "may" have placed your hand on the complainant's buttock.



- Your statement that you may have placed your hand on the complainant's buttock on other occasions prior to August 17, 2015.
- You did not suggest that the complainant had an ulterior motive for making her allegation, stating that you had no idea why she would come forward with a complaint against you.
- Six individuals observed the complainant on August 17, 2015, and stated that she looked very "upset," "distracted," and "angry."
- Three individuals observed the complainant upset the following day, August 18, 2015.
- One witness observed your hands on the complainant's buttocks while you hugged, on three separate occasions. This witness stated that these incidents made her "freak out," and she felt that the conduct was inappropriate.
- Your statement that you and the complainant routinely had physical contact, including neck and back massages, your face being "accidentally" pressed between her breasts when you hugged, and that it was part of your friendship.
- One witness observed you giving the complainant a neck massage, and another witness observed you "lingering" by the complainant, and resting your hand either on her back or shoulder for extended periods of time
- One witness also reported that you placed your hand on her buttock while the two of you hugged.

In addition to the inappropriate touching -- which was the basis for the complainant's allegation -- the investigation revealed that on multiple occasions, your behavior failed to meet the professional expectations the Assembly holds for its supervisors. Examples include:



- You exercised poor judgment by being overly involved in the complainant's personal life, such as offering to bring a barbeque to her home and engaging in conversations with her about overly personal matters.

- You sent an email to a colleague on June 27, 2014, pertaining to the complainant, in which you stated you wished you were younger. You confirmed during your interview that you did indeed wish that you were younger. In this context, these statements implied that you wanted to be younger in order to be closer in age to the complainant.
- You admitted inviting the complainant to come to Alaska with you.
- In relation to receiving a photo of the complainant in a bikini via email, you stated you didn't consider whether or not it was appropriate, because you were friends. Rather than responding to [REDACTED] to say the photo was unwelcome or inappropriate, or deleting it from your Assembly account, you forwarded it your personal and Assembly email accounts, on three occasions, saying it was "just to have it ... to save it."

Your conduct violated the following Assembly policies:

- **Policy against Sexual Harassment:** The Assembly has a strict, zero tolerance policy prohibiting sexual harassment in the workplace.
- **Personnel Policy Manual for Assembly Employees: Section VI. Ethics, Subsection 5. Conduct of Employees,** provides that employees are expected to conduct themselves in a professional manner and to avoid behavior that might bring discredit to the Assembly. This standard is particularly high for employees in supervisory roles.

You previously attended the Assembly's Sexual Harassment Prevention Training for Supervisors on seven (7) occasions over the past thirteen (13) years, during which expectations are clearly articulated. You also have participated in training provided to administrators and managers through the Capitol Institute, and a practical management techniques class given by Assembly Human Resources staff.

Further, you were previously disciplined for engaging in similar conduct. At that time, you were instructed to participate in one-on-one remedial training with an employment law attorney. Additionally, you received a written warning stating that this was the "first and final notification to you that any indication of a future violation of the Assembly's policy will be immediately reviewed and, if found to have basis, will result in termination of employment."


As a consequence, this letter serves as notification that the decision has been made to terminate your Assembly employment. A copy of the Assembly's Policy against Sexual Harassment – which includes post-investigative rights – is attached. If you wish to exercise the rights described in the policy, please provide me with your written request no later than November 5, 2015. Otherwise, your Assembly employment will be terminated effective the close of business on November 5, 2015.

Additional information about your rights and responsibilities upon termination of employment would be provided to you at that time.

During our meeting you were advised that you are being placed on an unpaid administrative leave of absence effective October 27, 2015. You can use accrued vacation for wage continuation purposes at this time. If you elect to use your accrued vacation in lieu of unpaid administrative leave, please notify Ms. Roper at (916) 319-3713.

Please contact me at (916) 319-2800 or Ms. Roper with any questions.

Sincerely,



Debra Gravert
Chief Administrative Office
California State Assembly

cc: The Honorable Toni Atkins
Charu Khopkar, Director, Speaker's Office of Member Services
Investigation Binder
Personnel File

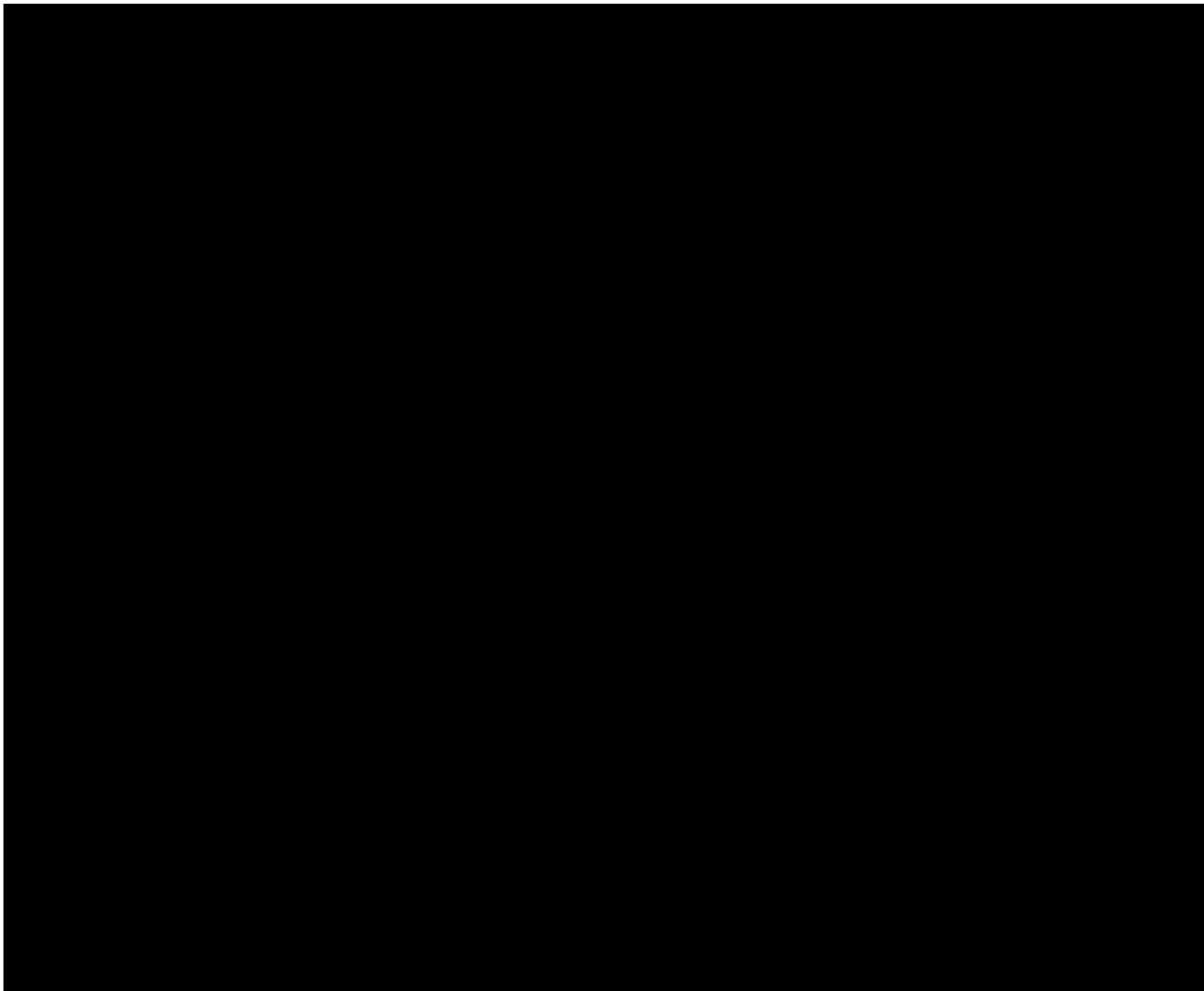
Encl: California State Assembly Policy against Sexual Harassment

Assembly Rules Committee – Human Resources Office

Note to File

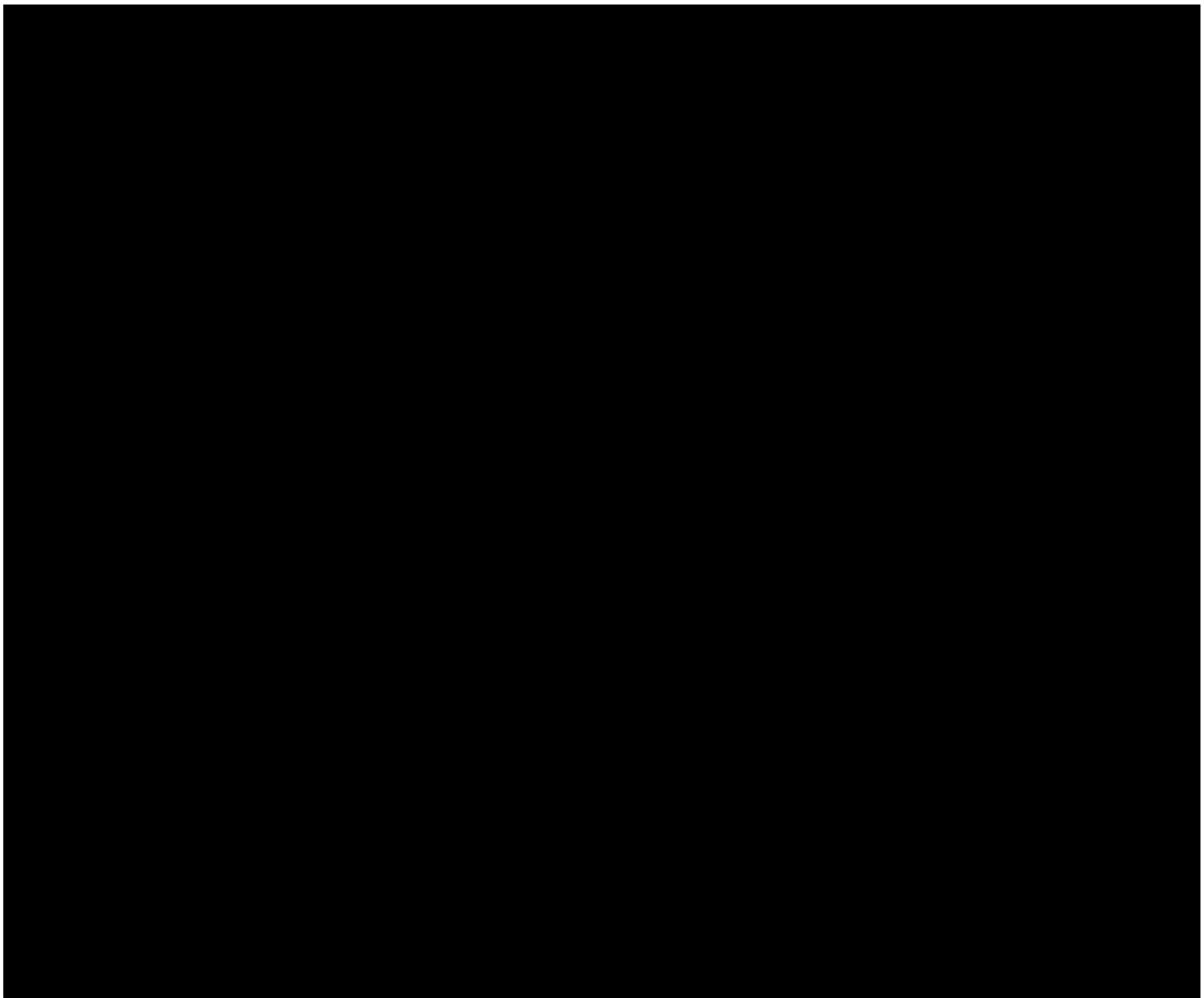
Date:	October 17, 2016; October 21, 2016
Employee(s):	[REDACTED]
Office:	[REDACTED]
Job Title:	[REDACTED]
HR Staff Person:	Tosha Cherry
Issue Description:	Allegation of Gender Discrimination

[REDACTED] contacted me by phone on the morning of October 17, 2016 at approximately 9:00am. She indicated she had some concerns and heard I was “the new Lynda Roper.” I communicated she could come over then. The following are notes I took from our meeting:





Hill has implied that he and [REDACTED] have a romantic relationship. He also said [REDACTED] is gay and a dike. He also implied he has a romantic relationship with [REDACTED]. [REDACTED] feels she works in an extremely dangerous and misogynous environment.



California Legislature

Assembly Rules Committee

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P.O. BOX 942849
SACRAMENTO, CALIFORNIA 94249-0115
TELEPHONE: (916) 319-2800

March 14, 2017

Samuel "Joey" Hill
c/o The Honorable Jones-Sawyer
State Capitol, Room 2117
Sacramento, CA 95814

Dear Mr. Hill:

As you know, a complaint was made against you alleging: 1) gender discrimination and harassment; [REDACTED]

[REDACTED] As you also know, the Assembly hired outside, independent legal counsel, Janice Brown and Arlene Yang with the Brown Law Group, to investigate these complaints.

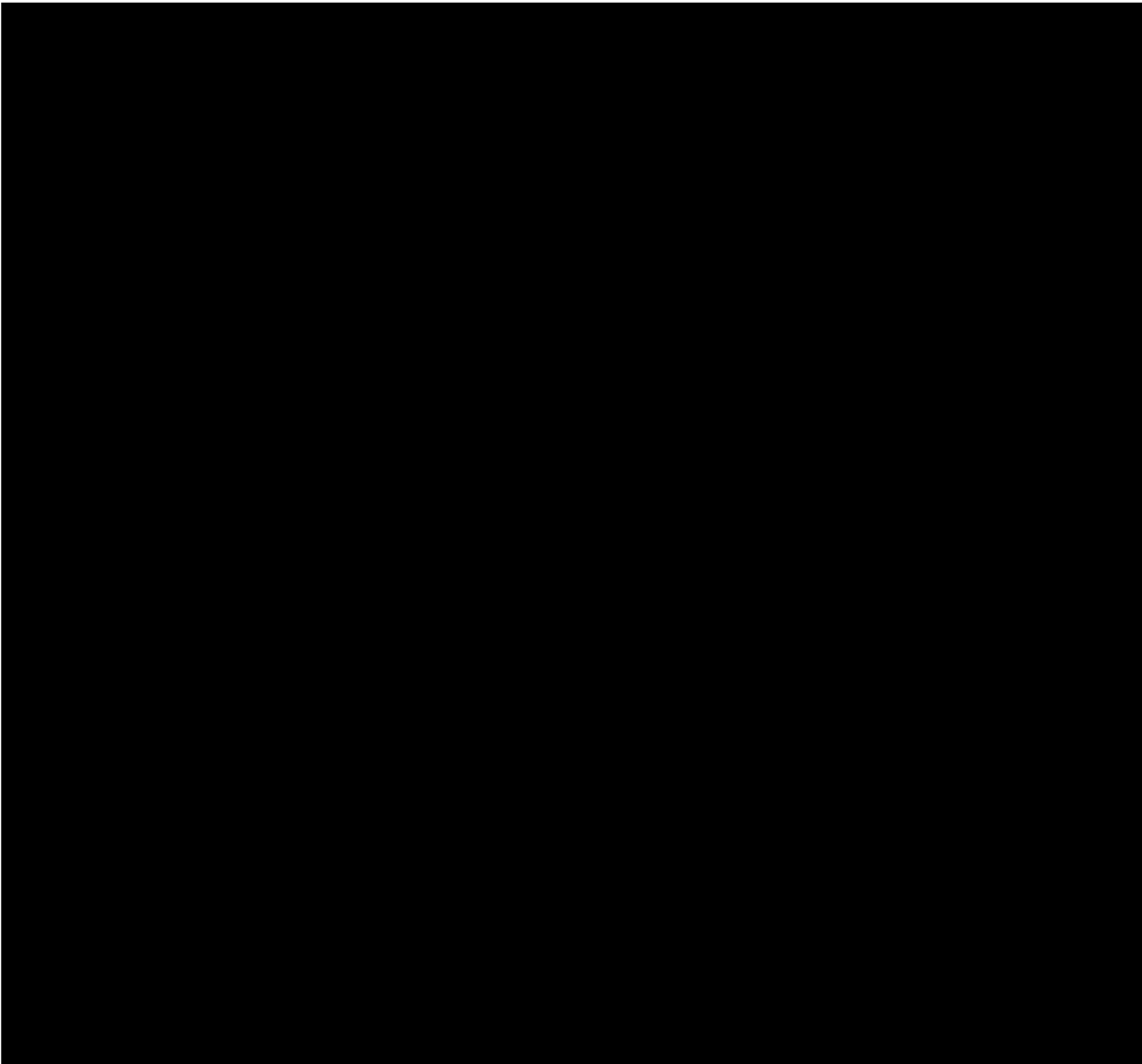
The investigation has concluded and a Confidential Attorney-Client Privileged Report has been provided to the Assembly. Because the Investigation Report is privileged, you are not entitled to, and will not be given, a copy of the report. However, below you are being provided a summary of the report's findings and conclusions.

1. Gender Discrimination and Harassment

It was alleged that you made several inappropriate gender and sexual preference based comments to the complainant and others. Although not all of the allegations of specific inappropriate comments could be substantiated, the investigators concluded that it is more likely than not that you did make several inappropriate comments, including disrespectful and derogatory comments about female staff and women in general, as well as comments regarding an elected official's sexual orientation. Although you denied making most of the alleged inappropriate comments, several witnesses corroborated the complaint, and on occasion you corroborated making certain inappropriate comments by admitting to specific comments with a contextual justification for them.

[REDACTED]



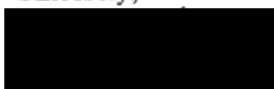


Retaliation for participating in protected activities, such as making good faith complaints and participating in workplace investigations, is specifically prohibited by Assembly policies. You have been an Assembly employee and in supervising positions such as your current Chief of Staff position for many years. Consequently, you should be familiar with and responsible for upholding Assembly policies, including its policy against retaliation.

Based on the findings presented by the outside, independent, attorney investigators from the Brown Law Group, it has been determined that your at-will employment by the California State Assembly is being terminated. A separate termination letter is being provided to you along with this letter.

Any future inquiries regarding your employment by the California State Assembly should be directed to the Assembly's Payroll Office at (916) 319-3700.

Sincerely,



Tosha M. Cherry /
Human Resources Director
California State Assembly

[Redacted]

Notes

October 12, 2016

[Redacted]

[Redacted]

Inappropriate talk was rampant. [REDACTED]
knew one day something was going to happen. [REDACTED]

Sitting outside in lobby with all staff standing around. I [REDACTED]

[REDACTED]

[REDACTED]

California Legislature
Assembly Rules Committee

ROOM 3016 — STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CALIFORNIA 94249-0115
TELEPHONE: (916) 319-2800

February 23, 2017

[REDACTED]

Dear [REDACTED]:

The investigation of your [REDACTED] complaints made against Assemblymember Autumn Burke has concluded. You are not entitled to a copy of the Confidential Investigation Report and it is subject to the attorney-client privilege. The investigation, conducted by an outside, independent attorney, Jennifer Shaw of Shaw Law Group, PC made factual findings related to your allegations which are summarized as follows:

[REDACTED]

Allegation 4: Assemblymember Burke participated in an inappropriate conversation regarding anal sex with Capitol office staff.

Based on the interviews with witnesses and a review of relevant documents, the investigation determined this allegation was substantiated, that is, it is more like than not that the facts alleged did occur. Based upon this finding, remedial action will be taken designed to prevent future occurrences of such conduct.

Your participation in the investigation of your complaints is appreciated.

Sincerely,

[REDACTED]

Tosha M. Cherry
Human Resources Director
California State Assembly



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California Legislature
Assembly Rules Committee

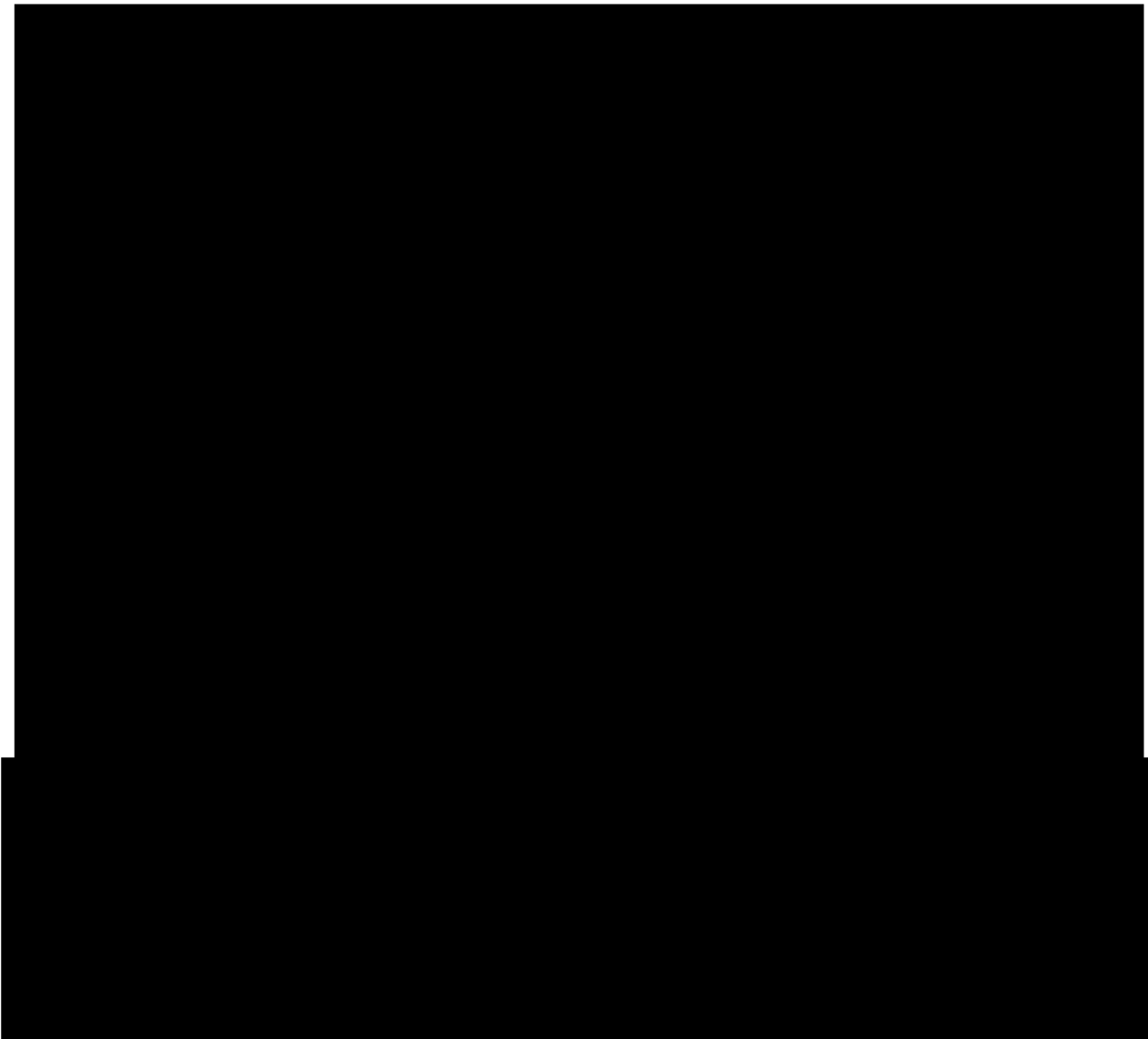
ROOM 3016 — STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CALIFORNIA 94249-0115
TELEPHONE: (916) 319-2800

February 23, 2017

The Honorable Autumn Burke
State Capitol, Room 5150
Sacramento, CA 95814

Dear Assemblymember Burke:

The investigation of [REDACTED] complaints made against you has concluded. This letter memorializes our meeting today, during which we reviewed the allegations investigated by an outside, independent attorney, Jennifer Shaw of Shaw Law Group, PC. Ms. Shaw made factual findings related to the allegations which are summarized as follows:





Allegation 4: You participated in an inappropriate conversation regarding anal sex with Capitol office staff.


Based on the interviews with witnesses and a review of relevant documents, the investigation determined this allegation was substantiated, that is, it is more likely than not that the facts alleged did occur.

This finding is based on your admission that you participated in such conversation.

Based upon this finding, today we have discussed the inappropriateness of such conversations in the workplace, and I reiterated the need to maintain a professional environment in the office at all times consistent with Assembly policies.

In conclusion, I remind you that the Assembly Rules Committee strictly prohibits retaliation. If in the future you believe anyone is retaliating, or has retaliated against you because of your participation in this investigation, please notify me immediately. On the other hand, you may not retaliate against anyone who you believe participated in this process. Finally, if you believe anyone else who may have participated in this investigation has become a victim of retaliation because of their participation in this process, please notify me immediately.

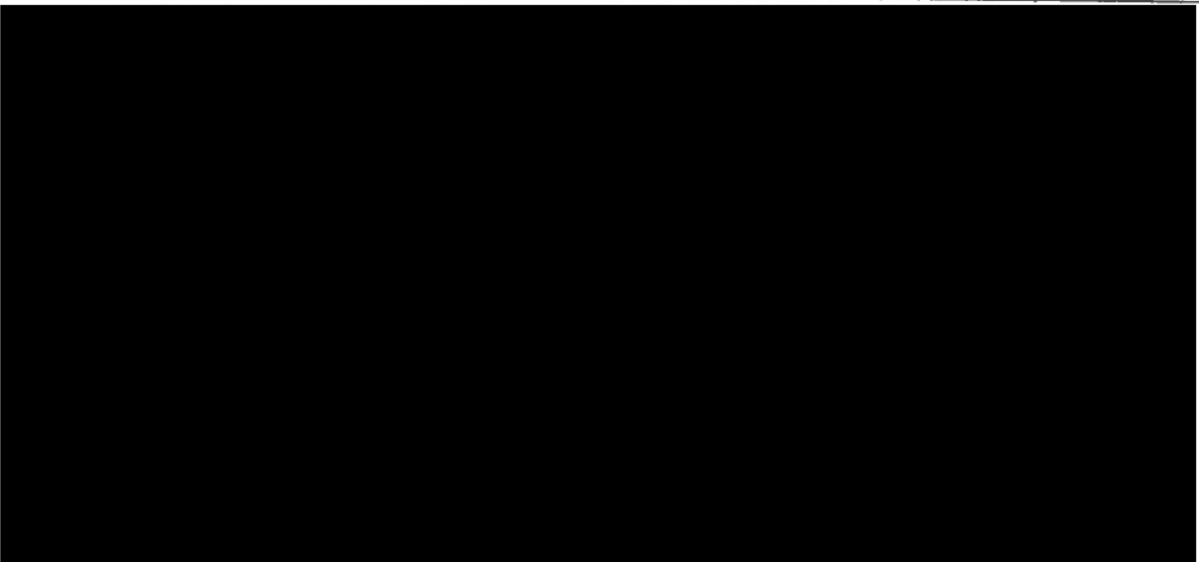
Sincerely,



Tosha M. Cherry
Human Resources Director
California State Assembly

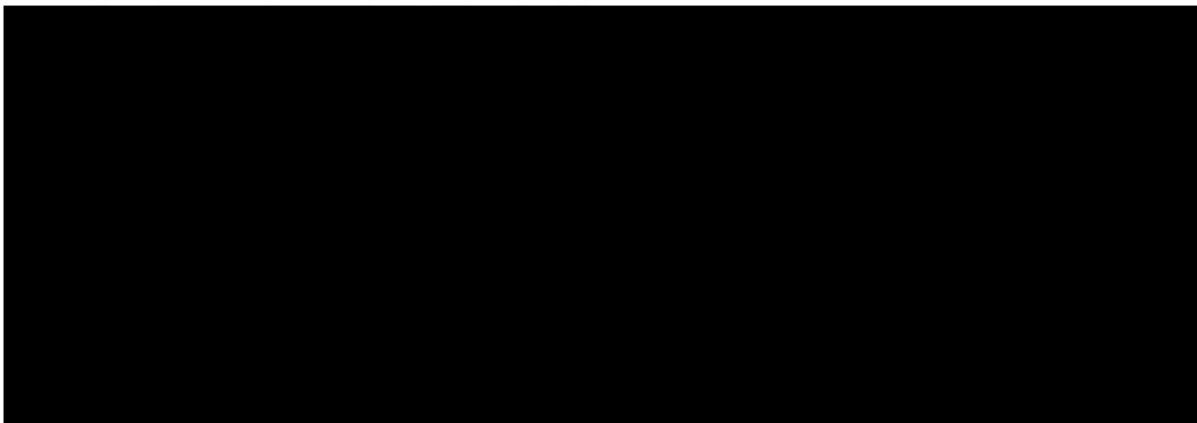
Assembly Rules Committee – Human Resources Office

Date of intake interview:	2/10/2017
Complainant:	[REDACTED]
Office:	[REDACTED]
Position Held:	[REDACTED]
HR Staff Person:	Liz Foster
Nature of Complaint:	Inappropriate Comments made by Sean Doherty



Please describe your complaint and what happened:

This happened on Monday (February 6, 2017) around 4:00 p.m. I was in the office and [REDACTED] and Sean Doherty were all present. That day I was wearing black tights (thick and not see through) and an over the knee skirt and turtle neck sweater. I was completely covered. I was talking to [REDACTED] about a hole in my tights by the knee area and Sean said "oh well you look better now than you have since you have been here. I prefer you to wear sheer panty hose." I said what are panty hose? He said "you don't know what panty hose are? I prefer you to wear sheer panty hose instead of those." I was shocked and I didn't know that it was not something he should be saying. I was shocked and didn't understand why he would say that. Later [REDACTED] commented, when Sean's door was closed, "that is not ok for him to say that to you." I understand if my skirt was too short he could say it was not appropriate, he could say if my skirt was too short but not that I should wear sheer tights and not that I looked better now than before, it was offensive.



4/25/17: [REDACTED] returned my call and I advised her that while I couldn't tell her what the action was, the appropriate action had been taken in relation to her concern with Sean Doherty. I asked her how everything was going and she said all was well. I reminded her to contact me if anything came up in the future. She thanked me for my time.

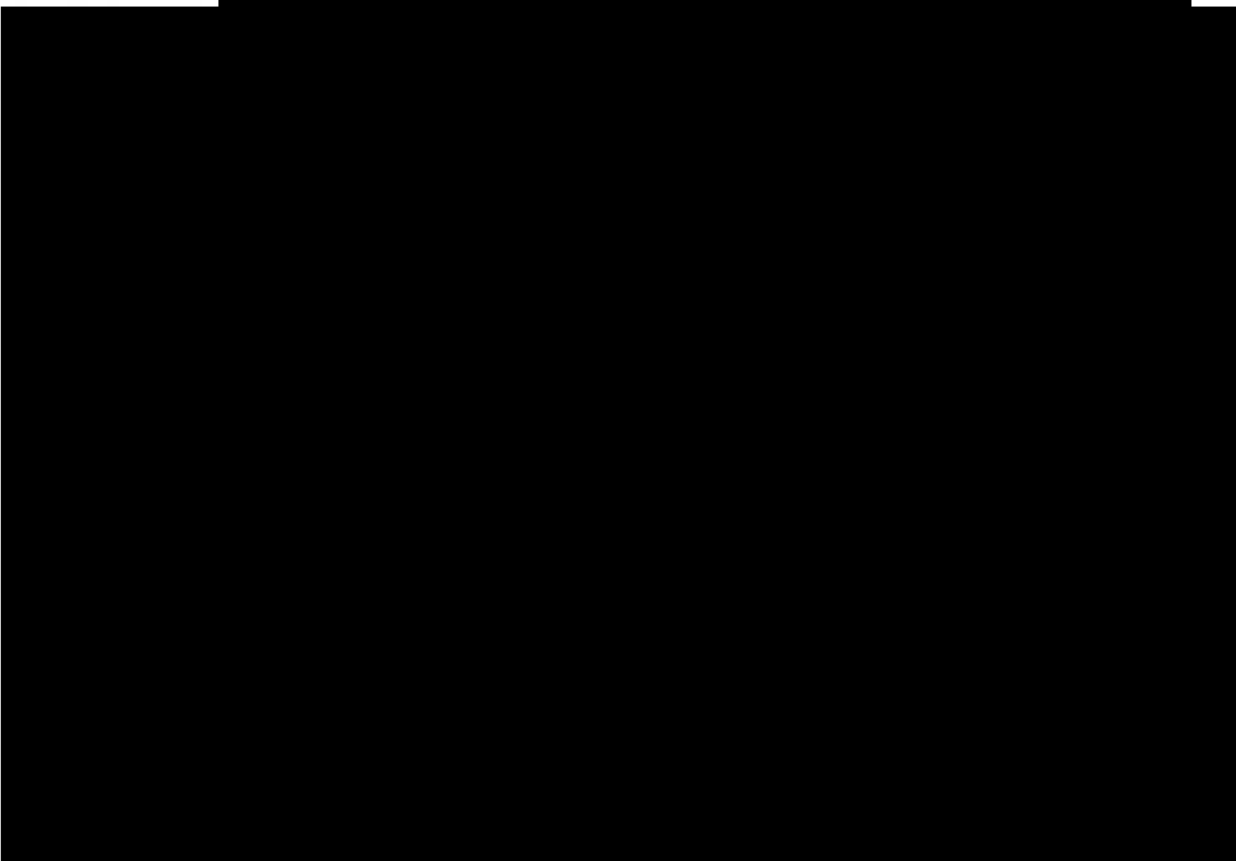
Assembly Rules Committee – Human Resources Office

Note to File

Date:	April 18, 2017
Employee(s):	Sean Doherty (Doherty)
Office:	AD 26 Capitol Office
Job Title:	Chief of Staff
HR Staff Person:	Liz Foster
Issue Description:	Feedback

I advised Doherty that a concern had been brought forward regarding a statement he made in the office. To protect the identity of the person who came forward I advised him he should not make assumptions as to who may have raised the concern. I shared that the statement the employee reported was "I prefer you to wear shear panty hose" and it made an employee uncomfortable.

Doherty immediately responded that he did not make this statement and I was welcome to interview staff in his office who would support him that he did not make the statement. I responded that we had not interviewed staff in his office. That for a single comment of this nature we had determined that speaking with him and providing him with feedback was the appropriate course of action.



Assembly Rules Committee – Human Resources Office

Note to File

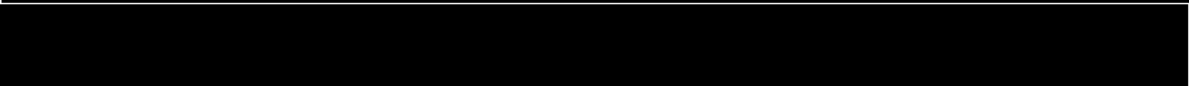
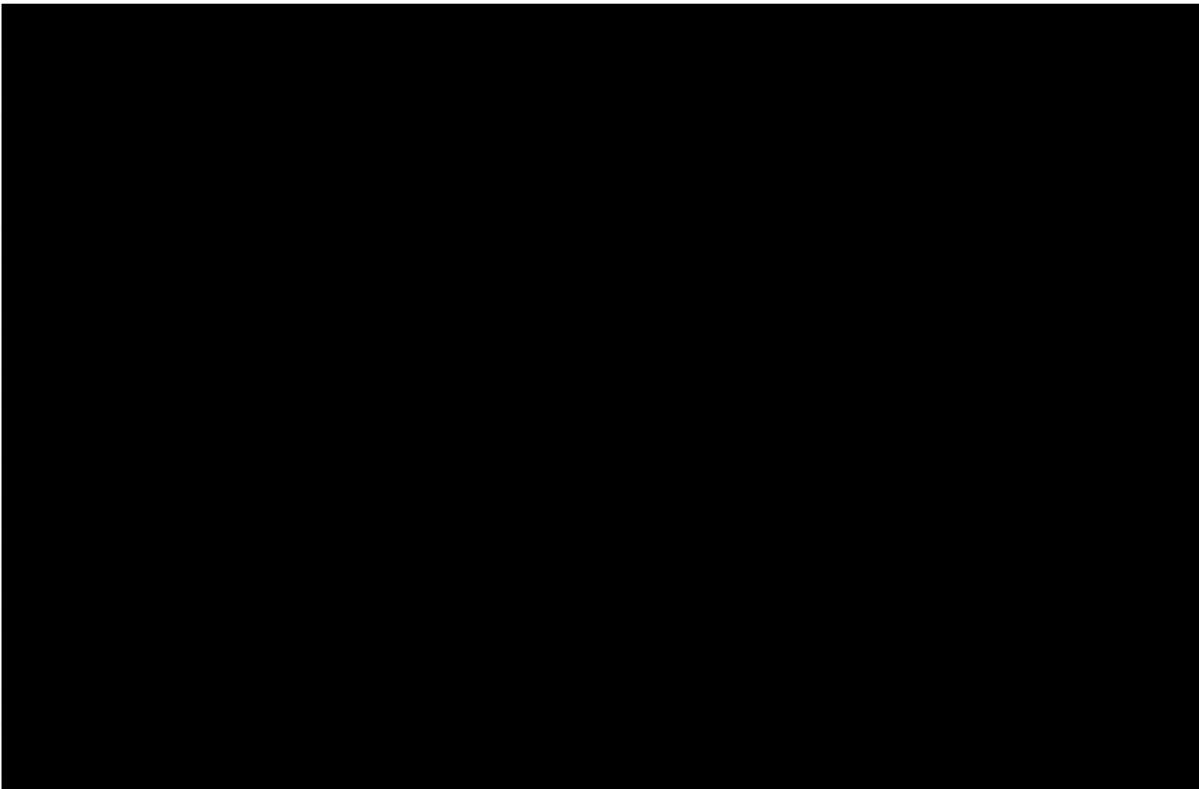
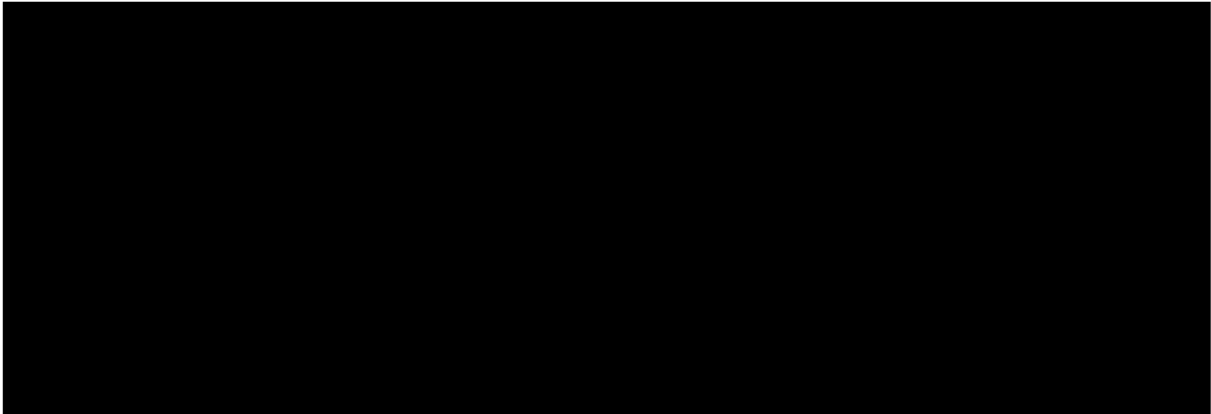
Date:	May 5, 2017
Employee(s):	[REDACTED]
Office:	[REDACTED]
Job Title:	[REDACTED]
HR Staff Person:	Tosha Cherry
Issue Description:	Complaint regarding Chief of Staff, Sean Doherty

[REDACTED]

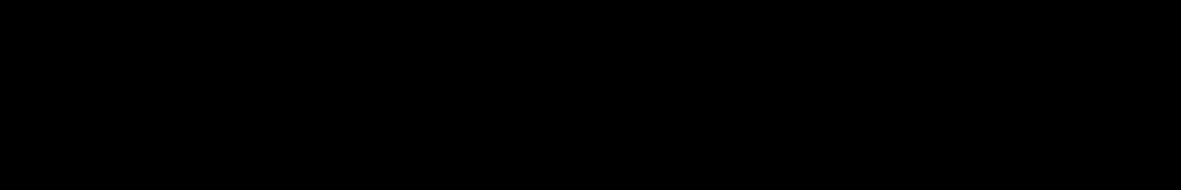
[REDACTED]

[REDACTED] I had a talk with Sean because he had a habit of hitting us on the shoulders. It seemed playful, but it bothered me, so I asked him to stop. Then it moved to verbal insults. [REDACTED]

[REDACTED]



He asked her if she was sexually active wither boyfriend. He said if you weren't such a fucking whore you might be able to have a real boyfriend. Then he said he was kidding.



[REDACTED] He told her you would rather fuck your boyfriend, than
come to work.



California Legislature
Assembly Rules Committee

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P.O. BOX 942849
SACRAMENTO, CALIFORNIA 94249-0115
TELEPHONE: (916) 319-2800

May 8, 2017

Sean Doherty
[REDACTED]

Dear Mr. Doherty:

This letter serves as notification that your at-will employment with the California State Assembly will be terminated effective May 10, 2017. You are not permitted to return to the office after today.

To ensure that there is no misunderstanding, this letter explains in detail both your rights and obligations and those of the Assembly upon termination of your employment. Your employment with the California State Assembly will end effective May 10, 2017. Thereafter, you will no longer be an Assembly employee.

Your final wages will be mailed to your home address via overnight delivery on May 10, 2017. This payment will constitute all of your final wages including your earned and unpaid salary, together with any unused vacation, and two "use or lose" personal holidays to be applied on the dates of May 9, and 10, 2017.

You also will receive continued medical, dental, and vision care benefits until June 30, 2017. In the next few weeks, the Assembly will send you a separate letter regarding your ability to continue your benefits at your own expense pursuant to COBRA (29 USC sections 1161 et seq.).

You may also remit claims for any out-of-pocket expenses incurred through May 10, 2017 which are eligible for reimbursement under the Assembly's Flexible Benefit Program. Outstanding claims for expenses must be filed with the program administrator within 90 days of your separation of employment.

To ensure you are aware of benefits potentially available to you through the Employment Development Department (EDD), I have enclosed a copy of an EDD brochure entitled "For Your Benefit: California Programs for the Unemployed." Please return all Assembly property, including your identification card and copies of office keys, to the Assembly Rules Committee as soon as possible.

Please be reminded that your leaving office statement (Form 700) must be filed with the Fair Political Practices Commission no later than 30 days after your separation of employment. Failure to do so may result in substantial penalties. A copy of the Form 700 is enclosed and available online at www.fppc.ca.gov.

Any future inquiries regarding your employment with the California State Assembly should be directed to the Assembly Payroll Office at (916) 319-3700.

Sincerely,



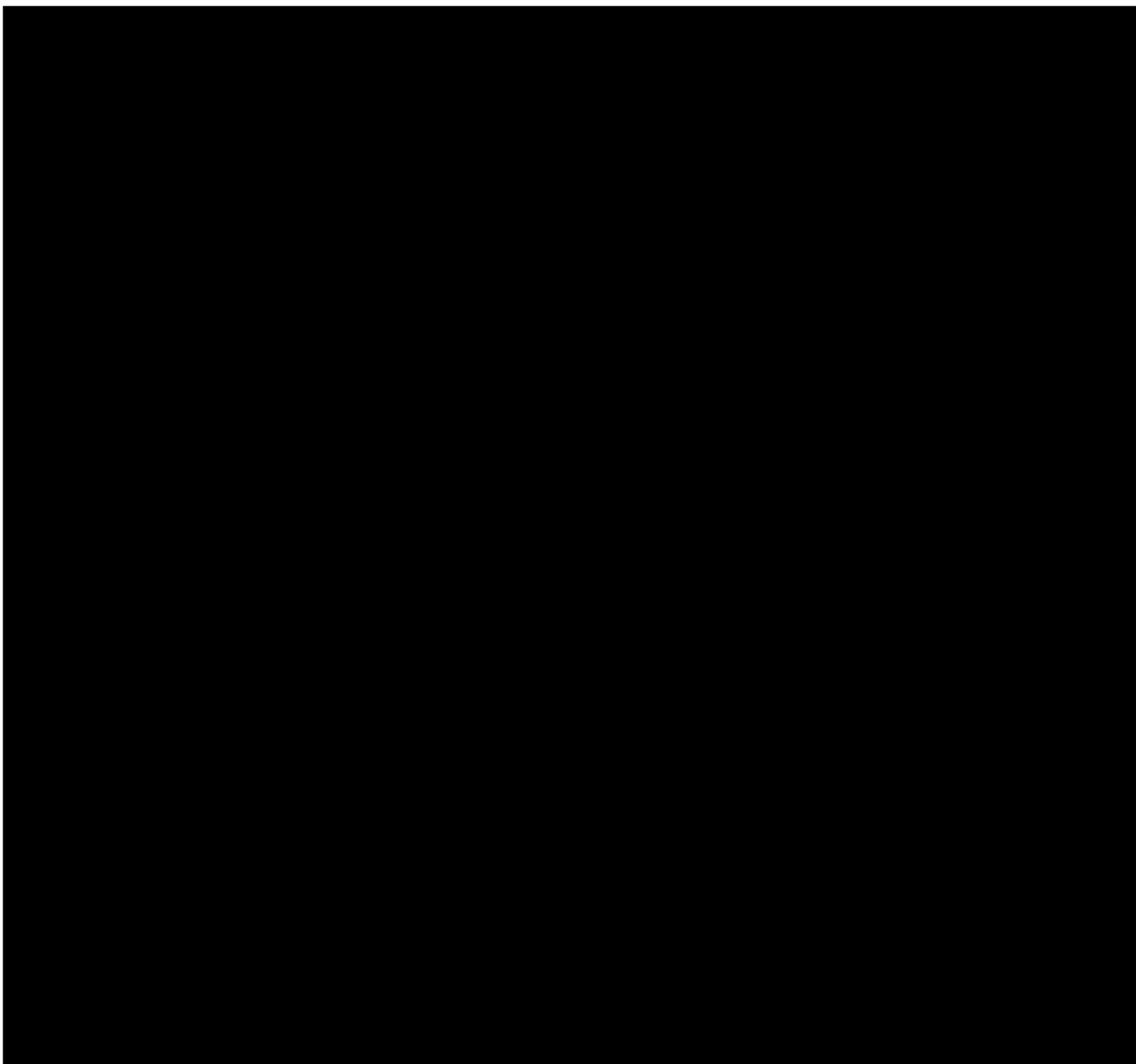
TOSHIA M. CHELLY
Human Resources Director
California State Assembly

Enclosures

Assembly Rules Committee – Human Resources Office

Note to File

Date:	11/6/17
Employee(s):	[REDACTED]
Office:	[REDACTED]
Job Title:	[REDACTED]
HR Staff Person:	Tosha Cherry, Human Resources Director
Issue Description:	Complaint against [REDACTED] [REDACTED] Pedro Reyes, Chief Consultant (Appropriations)



He was always a hugger. But then they became tight hugs with his body pressed against me. They were longer and tighter hugs. He would come into my office for hugs. [REDACTED] He came in one day and said, "Hey sweetie." He nuzzled his head in my neck and smelled my hair. Then he whispered in my ear, "You smell so good." He looks over my shoulder and says, "Your butt looks so good [REDACTED]" The man leaves and [REDACTED] asked me if I'm okay. He told me, this has to stop. My phone rang and it was that person. He whispered in the phone and said, I can still smell you on me. I responded that I must have too much perfume on me and I hung up.



It's Pedro Reyes.



California Legislature

Assembly Rules Committee

ROOM 3016 -- STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CALIFORNIA 94249-0115
TELEPHONE: (916) 319-2800

To: Pedro Reyes, Chief Consultant

From: Tosha Cherry, Human Resources Director *THC*

Date: November 20, 2017

Re: Workplace Conduct

The purpose of this memo is to document our recent discussion on November 15, 2017, whereby we discussed complaints I received from employees regarding your inappropriate conduct. It was reported that you hugged several employees in a manner which made them feel uncomfortable. It was also reported that you made inappropriate comments about an individual's appearance in a sexually suggestive way that made them uncomfortable.

During our meeting, you were apologetic and you explained that you recently ceased hugging coworkers after a colleague brought it to your attention. Thank you for acknowledging that this behavior could make others uncomfortable and agreeing to cease interactions and communications that have made others feel uncomfortable with employees going forward.

Please be reminded of the following provisions of the Personnel Policy Manual for Assembly employees:

I. General Personnel Policies Section 3: Equal Employment Opportunity and Harassment, Discrimination and Retaliation Prevention Policy

The Assembly's policy prohibiting harassment applies to all persons involved in the operation of the Assembly. The Assembly's harassment prevention policy also applies to unpaid interns, volunteers, persons providing services pursuant to a contract, and other persons with whom you come into contact while working. Prohibited harassment includes, but is not limited to, the following:

- Verbal harassment, such as epithets; derogatory jokes or comments; slurs; innuendos; questions about a person's sexual practices; and, propositions or requests for sexual favors.
- Written harassment, such as suggestive, obscene, or derogatory notes, letters, e-mails, text messages, or social media postings or messages.



- Visual harassment, such as derogatory, offensive, obscene or sexually-oriented posters, photography, calendars, cards, cartoons, drawings, or gestures; and, display of offensive, sexually-suggestive, or lewd objects.
- Physical harassment, including assault; unwanted touching or physical contact; intentionally blocking normal movement or interfering with work or movement; and, leering or staring.

Sexual harassment in the workplace is prohibited by state and federal law, and by Assembly policy. The full text of the Assembly's Policy Against Sexual Harassment is attached.

You are expected to strictly adhere to all Assembly policies and be advised that failure to comply with Assembly policies in the future may lead to further disciplinary action, up to and including termination.

The Assembly strictly prohibits retaliation. This memo serves as notification that any indication of future conduct that is retaliatory in nature or may otherwise constitute a violation of the Assembly's policies, will be immediately investigated and, if found to have basis, may result in termination of your employment.

Nothing in this communication changes the at-will status that applies to you and all employees of the California State Assembly.