Members of the Oregon Law Commission Work Group on Oregon State Capitol Workplace Harassment, thank you for the work that you are doing. My name is Audrey Mechling, and I worked in the Oregon Capitol as a Legislative Aide during the 2014, 2015, and 2017 sessions.   
  
While I am very happy to see the issue of sexual harassment in the legislature taken seriously, I have one major concern with the recommendation you have set forth. Under section 9 on page 7 titled "Remedies" your recommendation reads:

Consensus: For partisan legislative employees who violate the policy, the Equity Committee should recommend remedial measures to the supervising legislator. The legislator should consider the recommendation, notify the employee of the proposed remedy, and give the employee an opportunity to respond before making a final determination.

I firmly believe that any system in which the final decision to discipline or fire a Legislative Aide is made by a Legislator is fundamentally flawed. When I was sexually harassed in 2015 by a legislative intern I filed a formal complaint. That was how I learned that the findings and recommendations of the investigation conducted by the head of Employee Services would simply be turned over to the Legislator who had hired my harasser.

Employee Services did not have any authority to enforce the recommendations they made after finding that I had made a credible accusation of sexual harassment. While the intern in question was asked to not make contact with me, and not be made the point person for any communication between our offices, there was no guarantee that the Legislator would uphold these recommendations. I went to Employee Services for help, and instead I subjected myself to humiliating and uncomfortable interviews that resulted in absolutely no concrete protections for me as an employee, and indeed alerted my harasser to the power he had influenced over me. It left me feeling dirty and small. My harasser now knew how much he had bothered me, knew how he had impacted me, and had faced no consequences.   
  
If this system is kept it will continue to fail legislative aides who are harassed by their coworkers. If women in the Capitol know that their complaints against Legislative Aides will ultimately be decided by the Legislators that they have long personal relationships with, and not by an independent third party, there will be no motivation to report their experiences. If I had known that the decision to enforce recommendations to create a safe workplace for me would be made by the old white man who had hired my harasser, and not Employee Services, I would never have subjected myself to this process.   
  
This is particularly problematic knowing how many legislators themselves have been accused, officially or in whispered conversations behind closed doors, of sexual harassment or sexual misconduct. If a legislator who has himself been accused of harassing women, but has not been expelled from the legislature, has the final word in the sexual harassment remedies for his employees, there is absolutely no accountability.

The system now is broken, and we cannot allow it to continue. Any truly effective third party that investigates sexual harassment MUST have the ability to enforce its recommendations, even when the respondent is a partisan legislative employee.

Once again, thank you for your time and your hard work reforming the Legislature's policies. This work is long past due, and I am hopeful for my future working in Oregon politics that I will be able to work in harassment free workplaces.   
  
Sincerely,

Audrey Mechling