



Prevent and Prohibit Sexual Harassment

The Florida House is taking strong action to prevent and prohibit sexual harassment. Representatives Sullivan and Jacobs' amendment to HB 7007 proposes a comprehensive statutory and policy framework that applies to employees, public officials, and third parties lobbying or doing business with public agencies. Putting this initiative in statute builds on the work begun in 2016 with changes to House rules and new training for members and staff.

What the amendment does:

- Establishes a clear and specific prohibition against sexual harassment as part of the Code of Ethics.
- Extends the prohibition against sexual harassment to all public employees, public officials, whether state, local or other jurisdiction, and to third parties doing business with public agencies.
- Strengthens protections for victims by:
 - Defining a single unwelcome sexual advance as actionable.
 - Expanding the statutory definition of sexual harassment.
 - Requiring supervisors with direct knowledge of sexual harassment to take prompt action.
 - Providing for confidentiality of victims and witnesses.
 - Providing multiple reporting options to ensure victims have a safe way to file a complaint.
 - Authorizing the Ethics Commission to receive sexual harassment complaints.
 - Prohibiting retaliation against an employee who reports a complaint.
 - Prohibiting enforcement of a non-disclosure agreement against a victim.
 - Requiring agencies to provide victim advocate services and protections or other accommodations.
- Requires uniform procedures for handling sexual harassment claims that include:
 - Allowing verbal reports or written complaints and requiring specific steps in response to such reports.
 - Protecting the ability of the accused to present exculpatory evidence and witnesses.
 - Providing for certain disciplinary actions.
 - Requiring retention of records.
 - Requiring prompt referrals of any suspected criminal conduct to law enforcement.
- Takes steps to eliminate sexual harassment by:
 - Requiring training and signed acknowledgment of the receipt of such training.
 - Requiring agencies to adopt policies that provide guidelines and establish limits for consensual dating relationships between a supervisor and a subordinate.
 - Requiring each agency to conduct periodic assessments of attitudes and behaviors related to sexual harassment and requiring distribution of the results to employees and the public.
 - Establishing a task force to review policies, periodic assessments and best practices in order to make recommendations to the Governor and the Legislature.