

Proposal for an Amendment to the Bylaws and Standing Rules to Act According to the Prohibition Against Discrimination, Harassment and Bullying Policy.

Bylaws: Ethics Committee

The Ethics Committee is responsible for reviewing and, if appropriate, investigating complaints of discrimination, harassment and bullying as defined in the Standing Rules. Please refer to the Standing Rules if you wish to file a complaint.

1. Membership:

- a. With the approval of the Central Committee, the Party Chair will appoint three PCPs to serve as the Ethics Committee for a term of two years beginning halfway through the Party Chair's term.
- b. No more than two members of the Committee may be of one gender or race, as self-identified, and the Party Chair will take every effort to ensure maximum diversity.
- c. Party Officers will not serve on the Committee, nor will any party to a current complaint serve on the Committee. The Ethics Committee will select interim replacements as necessary.

2. Confidentiality:

- a. The Ethics Committee is committed to maintaining confidentiality; however information will be shared as needed to conduct a thorough and impartial investigation. The Ethics Committee's final investigation report and recommendations will be shared with only one of the three Multnomah County Democrats entities depending on the severity of the incident: The Chair, the Executive Committee or the Central Committee.

3. Responsibilities:

- a. Take any action in accordance with the standing rules that it deems appropriate including, but not limited to mediating a conflict, contacting law enforcement, or, solely in cases of sexual harassment, recommend removal of a member of the executive committee from office subject to approval by two thirds of the executive committee.
- b. Act in accordance with the Bylaws, Standing Rules, and the Harassment, Discrimination, and Bullying Policy.
- c. Make all decisions regarding final recommendations unanimously.
- d. Take action on each complaint filed within the timeline specified in the Standing Rules.
- e. Convene as necessary.

4. Reporting Procedures:

- a. Complaints should be made to a member of the ethics committee in accordance with the Standing Rules
 - b. Every PCP has a responsibility to report any harassment, discrimination, or bullying; and,
 - c. Non-PCPs may report harassment, discrimination, or bullying by PCPs to the Ethics Committee.
 - d. Retaliation against persons filing complaints is prohibited.
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Standing Rule 15: Prohibition Against Discrimination, Harassment and Bullying Policy

1. Scope

a. Definition of Discrimination:

- i. Unequal or different treatment of an individual on the basis of their protected class status, including, but not limited to, race, color, national origin, creed, religion, ethnic identity, gender, sexual orientation, gender identity, age, economic status, disability or marital status.

b. Definition of Harassment, including Sexual Harassment:

- i. Unwelcome attention, inappropriate or offensive remarks, slurs or jokes, physical or verbal intimidation, stalking, and inappropriate physical contact or proximity based on protected class status;
- ii. Submission either explicitly or implicitly to any prohibited behaviors required as a term or condition of a member's continued affiliation with a MultDems committee or activity; and
- iii. Conduct that creates a hostile environment interfering with an individual's capacity to participate within MultDems.

c. Definition of Bullying:.

- i. Harmful gossip;
- ii. Conduct that demeans, humiliates or intimidates others; and
- iii. Verbal or physical behavior that is derogatory or abusive.

d. Retaliation against entities filing complaints is prohibited.

2. Reporting Discrimination, Harassment or Bullying

- a. **Formal Complaints.** Individuals wishing to file a complaint must notify a member of the Ethics Committee using the complaint process described below. Complaints must be filed within one year unless the Ethics

Committee Chair determines a meaningful investigation can be conducted after one year has expired.

- b. Informal Consultations.** Individuals may also initiate informal consultation with the Ethics Committee should they wish to receive guidance before engaging in a formal complaint process.
- c. Ethics Committee Chair Contact.** Individuals filing a formal complaint must contact the Ethics Committee in person or through ethics@multdems.org. Additionally, all PCP members have a duty to report harassment to the Ethics Committee.
- d. Timeline After a Complaint is Submitted:** After a written complaint has been submitted:
 - i.** The Ethics Committee Chair or other designated committee member will contact the person submitting the complaint (complainant) within seven days to acknowledge receipt and to obtain preliminary information about the complaint. The Ethics Committee will determine, based on this information, whether to initiate an investigation.;
 - ii.** If the Ethics Committee decides to initiate an investigation the Ethics Chair or designated committee member will notify the respondent that a complaint has been filed against them and request a written response to the complaint within 14 days either affirming or denying its substance. If the respondent does not meet this deadline, the Ethics Committee will proceed with its investigation without this information;
 - iii.** If the respondent denies the substance of the complaint, the Ethics Committee overseeing the dispute will have the option to investigate the complaint by:
 - 1.** interviewing other members with direct knowledge of the substance of the complaint;
 - 2.** requesting documentation from either the complainant or respondent or any other parties directly involved; and
 - 3.** employing other means deemed necessary, with the utmost respect for the confidentiality of the parties .
 - iv.** The Ethics Committee will determine whether the complaint is substantiated, draft a report and make appropriate recommendations regarding next steps within 60 days of the complaint being filed, if possible. This is to ensure the timely, efficient, accurate, and discreet adjudication of all complaints.

3. Ethics Committee Chair Responsibilities

- a. The Chair of the Ethics Committee should have experience required to conduct impartial investigations and mediation including, but not limited to, experience in human resources or as an attorney.
- b. Receive, acknowledge receipt of, and archive complaints;
- c. Contact the respondent to notify them of the complaint, request their written response, and archive any written response;
- d. Conduct any necessary investigation of the complaint; and
- e. Present their findings to the Ethics Committee with a written report and, if necessary, a recommendation for disciplinary action.
- f. If necessary, the Ethics Committee Chair may recommend that parties do not contact each other for the duration of the investigative process.
- g. Compile a report on January 31 of each year that details:
 - i. How many complaints were made
 - ii. How many were taken to the disciplinary process
 - iii. How many disciplinary actions were taken
 - iv. Any recommended changes for making the reporting system more effective.
 - v. This report will not include personally identifying information of any parties in any dispute. The Ethics Committee Chair will submit the report no later than January 31 of the new year.
- h. The Ethics Committee Chair will publish on the Party website, and make otherwise available to members, a template form for reporting complaints of harassment that include:
 - i. The party's contact information
 - ii. The names of the parties involved
 - iii. A description of reported incident

4. Formation of the Ethics Committee and Officer Responsibilities

- a. The Technology Officer will establish the email address ethics@multdems.org accessible only to the Ethics Committee Chair to serve as a confidential reporting hotline for allegations.

5. Remedies

a. Determinations

- i. All complaints will be assessed on a case-by-case basis by the Ethics Committee.

b. Standard for Determining if a Complaint is Credible:

- i. The Ethics Committee will find that the factual allegation in a complaint is "credible" if it more-likely-than-not occurred.
- ii. The Ethics Committee will also make credibility findings regarding the person filing the complaint, the respondent and any witnesses.

c. Types of Remedies

- i. If the Ethics Committee substantiates the complaint, it is authorized to carry out the following remedies:
 - 1. A formal discussion between the respondent and the Ethics Committee to develop a plan to change the harassing behavior(s).
 - 2. Referral to a mediation program.
 - 3. Recommendation for censure and prohibition from non-voting events.
 - 4. Recommendation and initiation of recall of PCPs from leadership positions.
 - 5. Recommendation to Central Committee to withdraw appointed PCP membership.(note: State Law requires formal election by all precinct Democrats to remove an elected PCP).
- ii. Appropriate form of relief will be determined by, among other things:
 - 1. The request of the complainant;
 - 2. The severity of the offense;
 - 3. The response of the respondents; and
 - 4. The respondent's relevant behavioral history.