

PROTECTING EMPLOYEES OF THE FEDERAL JUDICIARY



“No American should suffer sexual misconduct, abuse, or harassment while on the job, yet it continues even in the halls of our judicial system where decisions about every aspect of our lives are made. The era of judges abusing their power and taking comfort in an environment that rewards silence and fear are over.”

Congresswoman Norma Torres

The 30,000 employees of the Judiciary do not have the workplace protection laws that covers every other American. In December 2017, the Chief Justice issued a call urging the Judiciary to ensure every employee of the Judiciary had a safe workplace. Shortly afterwards, the Federal Judiciary Workplace Working Group (WCWG) was created. From the recommendations provided by the working group, in 2019 the Judicial Conference adopted revisions to the Judiciary’s Codes of Conduct. In 2022, WCWG provided additional recommendations; however, many reforms remain to be implemented.

We must do more to stop sexual harassment and workplace misconduct in the Judiciary. Given that employees of the Judiciary lack the legal protections and independent recourse all other Americans have, Congresswoman Torres, as a member of the Appropriations subcommittee that provides funding to the Judiciary, has requested that the Judiciary share its progress towards improving its internal systems. Below is an update on these efforts.

Lack of Transparency:

Since Chief Justice Robert’s call to action in 2017, Rep. Torres has worked through the Appropriations Committee to seek information and urge reforms to the system.

- In 2020, together with then Chair Johnson and Rep. Speier, **Rep. Torres requested a federal audit of the Judiciary’s systems** to prevent workplace misconduct by the Government Accountability Office (GAO).
 - GAO began the investigation in January 2022 and no report has been made public.
 - FY23 and FY24 appropriations directed the Judiciary to provide all necessary information requested by GAO.
- In 2021, **Rep. Torres directed the Administrative Office (AO) to conduct the first ever national climate survey** for the Judiciary to assess its workplace environment (secured through FY22 appropriations legislation).
 - The survey was completed in early 2023. Rep. Torres sent a letter to the Director of the AO this year requesting the Judiciary share the results of its survey. However, the results have not been made public.
- In 2022 Rep. Torres added provisions to FY23 appropriations legislation that authorized the Federal Judicial Center and the National Academy of Public Administration to conduct a joint **research project to evaluate workplace practices** across the Judiciary.

REJECTING REFORMS & URGENT CHANGES NEEDED

- In FY25 appropriations legislation, Congresswoman Torres **sets expectations about how the Judiciary must reform** and work to improve its systems to prevent sexual harassment and workplace abuse. This report language holds the Judiciary accountable to reveal available data and why they have failed to implement needed reforms to prevent sexual assault, harassment, and abuse in workplaces. Simultaneously, the report language pushes the Judiciary to make several necessary improvements including adding additional monetary remedies into the employee complaint process and providing legal counsel to employees who have been victims of harassment.
- July 2024, the results of the NAPA-FJC report are released. The report **details systemic failures** of the Judiciary to prevent workplace sexual assault, harassment, and misconduct, including **34 recommendations for reform**.
- July 2024, the AO’s **refusal to fully cooperate** with the GAO audit becomes public. Throughout the two-year study, the AO only allowed GAO to speak with one current employee of the Judiciary to gain an employee perspective on how policies are working on the ground.
- **Congresswoman Torres continues to co-lead the Judiciary Accountability Act, to extend legal protections to the employees of the Judiciary and protect whistleblowers from retaliation.**

JOIN ME

More remains to be done to protect all employees of the Judiciary. Please visit: Torres.House.gov for more information on how we can change the system and ensure no one is above the law.

