

ALASKA STATE LEGISLATURE
SENATE RULES STANDING COMMITTEE

January 31, 2018

11:40 a.m.

MEMBERS PRESENT

Senator Kevin Meyer, Chair
Senator Pete Kelly
Senator Peter Micciche
Senator Anna MacKinnon
Senator Berta Gardner

MEMBERS ABSENT

All members present

OTHER LEGISLATORS PRESENT

Senator David Wilson

COMMITTEE CALENDAR

HUMAN RESOURCES MEMORANDUM

- VOTED TO RELEASE THE MEMORANDUM

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

No witnesses

ACTION NARRATIVE

[11:40:52 AM](#)

CHAIR KEVIN MEYER called the Senate Rules Standing Committee meeting to order at 11:40 a.m. Present at the call to order were Senators Gardner, Micciche, Kelly, MacKinnon, and Chair Meyer.

CONSIDERATION OF HUMAN RESOURCES MEMORANDUM

CHAIR MEYER said there was one item on the agenda today, the report developed at the request of Senator Kelly by the Legislative Human Resources Manager, Skiff Lobaugh.

[11:41:49 AM](#)

He announced an at ease, so that members could read the report.

[11:46:21 AM](#)

CHAIR MEYER called the meeting back to order at 11:46 a.m. and invited Senator Kelly to comment.

SENATOR KELLY said he asked the Rules Committee to consider releasing the report regarding Senator Wilson's statement at a press conference he held on December 7, 2017. The report the Rules Committee released on December 12, 2017 concluded that Senator Wilson's conduct in June did not fit the definition of hostile work environment sexual harassment. In fact, the report concluded the facts did not substantiate a case of sexual harassment. However, Senator Wilson's press conference on December 7, 2017, triggered a second investigation that concluded there was retaliation under state and federal guidelines.

SENATOR KELLY said the non-partisan Human Resources (HR) manager investigated the matter and prepared the report the committee is releasing today. The release of this report shows the Senate does not condone retaliation and expects all legislative employees to be treated with respect. In deciding to release this report, they had to weigh the privacy interest guaranteed in the Alaska Constitution versus the public's right to know. Looking at the facts of the situation and considering that Senator Wilson held a public press conference that was broadcast across the state, they decided to resolve this issue in favor of the public's right to know.

[11:48:15 AM](#)

SENATOR KELLY said upon receipt of the retaliation report, Senate leadership reviewed the findings with Senator Wilson and took the following disciplinary actions:

- Required a letter of responsibility to the House staff employee (HSE) involved
- Set a three-month probation as a period for Senator Wilson to demonstrate that he understands the human resources policies and decorum expectations of the Alaska Senate and the entire legislature
- Required an individual training course on retaliation
- Placed Senator Wilson on travel restrictions

SENATOR KELLY stated that Senator Wilson had complied with these actions to date. The sum-total of this case is to be found in Senator Wilson's very public press conference and the HR Report from the Legislative Affairs Agency.

On advice of legal counsel, Senator Kelly said, no further comment will be made regarding this report or situation due to the complexity of navigating state law along with the U.S. Equal Employment Opportunity Commission (EEOC) guidelines regarding retaliation when public comments are made in any regard to individuals who participated in a legally protected activity.

[11:49:19 AM](#)

SENATOR KELLY moved to release the Human Resources confidential memo from the Legislative Affairs Agency dated December 8, 2017, from committee. There were no objections and it was so ordered.

SENATOR GARDNER said she wanted to put a question on the record: The conclusion on the second page of the report says, "multiple times in the press conference he revealed confidential information and disclosed questions that were asked during the investigation." Her question was: did he know those were to be confidential?

CHAIR MEYER responded that issue couldn't be addressed in this committee.

[11:51:14 AM](#)

CHAIR MEYER, finding no further business, adjourned the Senate Rules Committee meeting at 11:51 a.m.