



YourRights@Work

advancing workplace rights, safety & health, and accessibility in the legislative branch

What do you need to know about the Congressional Accountability Reform Act?

The reforms made by Congress to the Congressional Accountability Act of 1995 (CAA) (Pub. Law No. 115-397) are fully effective on June 19, 2019. As part of the changes, the new law expands the scope of who is protected under the CAA to include unpaid staff, revised the dispute resolution process for CAA violations, and requires training and offices to post employee rights.

The Office of Congressional Workplace Rights (formerly, the Office of Compliance) is your resource to understand workplace rights, safety & health, and accessibility in the legislative branch.

Who is now covered by the CAA?

- Current employees working on Capitol Hill and employees working in state and district offices
- Former employees
- Job applicants
- Unpaid interns
- Detailees and Congressional Fellows
- Visitors, in certain circumstances

What does “covered by the CAA” mean?

The Congressional Accountability Act applies the following thirteen civil rights, labor, and workplace safety protections to Congress and its associated agencies:

- Protection from Harassment and Discrimination
- Protection from Retaliation
- Family and Medical Leave
- Fair Labor Standards
- Veterans’ Employment Opportunities
- Uniformed Services Rights and Protections
- Collective Bargaining and Unionization
- Hazard-Free Workplaces
- Access to Public Services and Accommodations
- Genetic Information Nondiscrimination and Privacy
- Notification of Office Closings or Mass Layoffs
- Polygraph Testing Protections

The OCWR provides in-depth information about each of these thirteen laws. From trainings, both online and in person, and brown-bag lunches with the Office of General Counsel to a robust website and publications like this one, the OCWR is here to help.

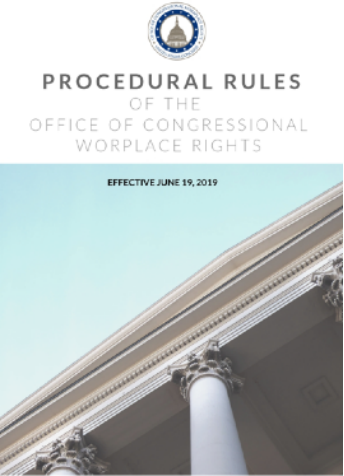
Additionally, if you have a workplace concern you may contact our office to speak confidentially with OCWR staff who can explain how the CAA might apply to the situation and possible options to resolve your workplace dispute.

>>> TIP FOR SUPERVISORS AND MANAGERS

Now is a good time to review all policies, procedures, and handbooks to ensure all materials are in compliance with the CAA Reform Act. Questions? We are here to help!

Need a Notice of Employee Rights under the Congressional Accountability Act? [Download](#) one today or call the OCWR.





The Procedural Rules of the OCWR govern the procedures for considering and resolving alleged violations of the Congressional Accountability Act of 1995 (CAA), as amended by the CAA Reform Act of 2018.

The Rules include definitions and procedures for:

- seeking confidential advice
- preliminary review
- mediation
- filing a claim or complaint, and
- electing between filing a claim with the OCWR and filing a civil action in a U.S. district court.

The Rules include procedures for the conduct of hearings held as a result of the filing of a claim or complaint and for appeals to the OCWR Board of Directors from Merits Hearing Officers' decisions; as well as other matters of general applicability to the dispute resolution process and to the OCWR's operations.

The full history of the rule-making process, including comments from legislative branch agencies, is available on the OCWR website.

Who does the CAA apply to?

- U.S. House of Representatives (DC & district office staff)
- U.S. Senate (DC & state office staff)
- Office of Congressional Accessibility Services
- U.S. Capitol Police
- Congressional Budget Office
- Office of the Architect of the Capitol
- Office of the Attending Physician
- Office of Congressional Workplace Rights
- The Library of Congress (except for Section 1351)
- Office of Technology Assessment
- John C. Stennis Center for Public Service Training and Development
- U.S.-China Economic and Security Review Commission;
- Congressional-Executive China Commission;
- Commission on Security and Cooperation in Europe (Helsinki Commission)

How has the administrative dispute resolution (ADR) process changed?

Although the Reform Act still requires that a **claim be filed within 180 days of an alleged violation**, there have been many changes to the ADR process. As of June 19, 2019, mandatory counseling will be eliminated and mediation will be optional. Voluntary, confidential mediation may be requested at several points during the process, however it will only occur if all parties agree to mediation.

Additionally, when an employee timely files a claim alleging a violation of the Reform Act, OCWR will provide a copy of the claim to the employing office and appoint a hearing officer to conduct a preliminary review. Generally not later than 30 days after a claim is filed, the parties will be provided a report on the preliminary review conducted. If the preliminary report concludes that the employee is covered and has stated a claim under the Act, then the employee has 10 days to request a confidential administrative hearing with the OCWR.

Charts showing the process, and variations when a claim is made by a Library of Congress employee or involves a Member of Congress, are online. A new secure e-filing system will also be available.

Once an employee has filed a claim with the OCWR, the employee may file a civil action in federal district court instead of requesting an OCWR administrative hearing.

But what happens if I filed a claim with the OCWR before June 19?

Proceedings or payments of awards or settlements relating to a claim that is currently pending before the OCWR will be completed under the same procedures as applied when the proceeding was initiated.



>>> [LEARN MORE...](#)

Read [FAQs](#) about the CAA Reform Act

Download the [text](#) of the Act (P.L. 115-397)

Read [details](#) about the revised Administrative Dispute