

NATIONAL SURVEY OF STATE LEGISLATORS ON LEGISLATIVE WORKPLACES

New survey data shows significant workplace concerns in statehouses for women and parents of young children, and strong support for legislative modernization.



INTRODUCTION

The work of state legislatures is undeniably important. Often overlooked, however, is the workplace where lawmakers conduct the people's business. The reality is that how functional and equitable state legislative workplaces are not only impacts how well the work there is done but who can ultimately work there. As state legislatures become more diverse, and more representative of the communities they represent, gaps in equity, function and safety have become more glaring. Ultimately, legislative workplace realities determine not only who runs for office, but who can stay and advance into leadership, as well as who is chosen to staff their efforts.

The majority of current legislative workplaces are outdated, favoring individuals with greater financial resources and social capital. They tend to favor men; those who don't give birth; those who are not primary caregivers for young children or others; those who can easily compensate for low legislative pay; and those who have the ability to travel far for extended periods of time. All of this and more creates barriers for women, caregivers, people of color and people from diverse socioeconomic and cultural backgrounds to fully participate.

Scope of Survey

While addressing sexual harassment is NWDL's primary focus, workplace harassment doesn't happen in a vacuum; it happens in an ecosystem. This survey takes a wider lens to assess the legislative workplace more broadly when it comes to issues that also disproportionately impact women, including pay, benefits, family-friendly infrastructure and culture, as well as sexual harassment.

About Legislative Workplaces

State legislatures conduct the business of governing primarily in statehouses across the country. Every year, elected state lawmakers, staff, interns, lobbyists and the public gather on different schedules during the year. Each state legislative workplace is managed with its own unique set of structures, rules and cultural norms. Many of these operating systems are similar, but all of them have unique nuances and some are vastly different from others. What is universally true for all of them is that they operate differently than a traditional workplace with less centralized oversight, various employers in the mix, and heightened power dynamics.

The functioning of the state legislative workplace is the responsibility of the members of the state legislature that we elect. Is it a safe place to work? Is it fair and equitable? Does it advantage some more than others? These questions are especially important considering the work of the legislature is to represent and work for the public's interest. When the workplace undercuts that aim, democracy itself is undermined.

Methodology

In 2024, NWDL launched its first National Survey of State Legislators on Legislative Workplace to gain insight into a set of legislative workplace issues, including sexual harassment, pay, benefits, and family-friendly capitol infrastructure and culture. The survey was commissioned by NWDL, with input from the Center for Countering Digital Hate, Paid Leave for All, the Purple Campaign, Represent Women, and Vote Mama. The survey was conducted by Understory. Conducted between June 25 and August 16, 2024, the survey requested responses from state legislators directly and was distributed to the state email addresses for 7,383 state legislators in all 50 states. All responses were anonymous.

Demographics

Response

There were 207 responses from 46 states. States with no respondents included California, Delaware, Hawaii, and Tennessee.

Gender

57% of respondents self-identify as female, 40.6% as male, 2.4% identified another way. It is notable that despite women making up just 32.8% of state legislative offices nationally, according to the Center for American Women and Politics, women legislators responded at a much higher rate than their male counterparts to this survey.

Race / Ethnicity

Racial composition tracks roughly along the same proportions as actual make up of legislatures with some deviations. 79.2% of respondents identified as White/Caucasian, 9.7% as Black / African American, 3.9% as Hispanic, 2.4% as other, 1.9% as American Indian or Alaska Native, 1.9% as multiple races / ethnicities, 1% as Asian American / Pacific Islander.

Caregiving

85% of respondents were parents, with 70% having adult-aged children, and fewer than 10% with children under five. 10% serve as caregivers to adult family members.

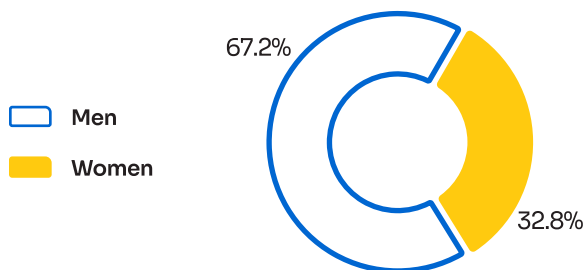
Employment

51% of respondents have paid employment outside the state legislature.

figure 1

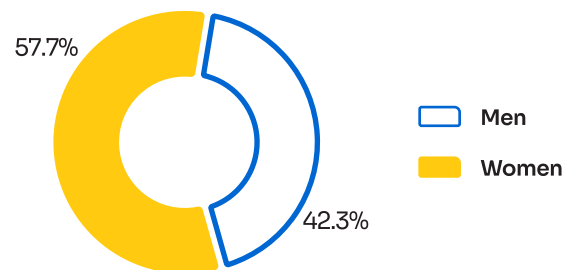
WOMEN LAWMAKERS SPEAK UP: A HIGHER SHARE OF SURVEY RESPONDENTS THAN THEIR REPRESENTATION IN OFFICE

The percentage of women in the state legislatures (2024)



Source: Center for American Women and Politics

This report's survey results produced significantly higher response from women lawmakers.



Source: National Survey of State Legislators on Legislative Workplaces

KEY FINDINGS

The survey responses reveal gaps in existing legislative workplaces across all areas of its focus: sexual harassment, pay and benefits, and family-friendly infrastructure and culture. The responses identified support from legislators for specific improvements. Finally, they highlighted the type of impacts that these gaps have on legislators' ability to not only do their jobs well, but in their ability to continue to serve in their office.

Sexual Harassment

Despite the existence of some sexual harassment policies in most states, significant gaps in their effectiveness and enforcement persist. While a third of sitting lawmakers have witnessed or experienced sexual harassment, only 60% of those that did actually reported it. Responses indicated that many existing policies for addressing sexual harassment are unclear, ineffective, and riddled with conflicts of interest.

Pay & Benefits

Nearly 80% of legislators felt their compensation and benefits are inadequate, and over 60% said higher salary would make serving more sustainable. A minority of respondents are offered paid parental, family, or medical leave. Despite the lack of access, the majority of respondents would support colleagues taking parental leave (66%), and endorsed the idea that lawmakers on parental leave should be allowed to vote remotely (58%).

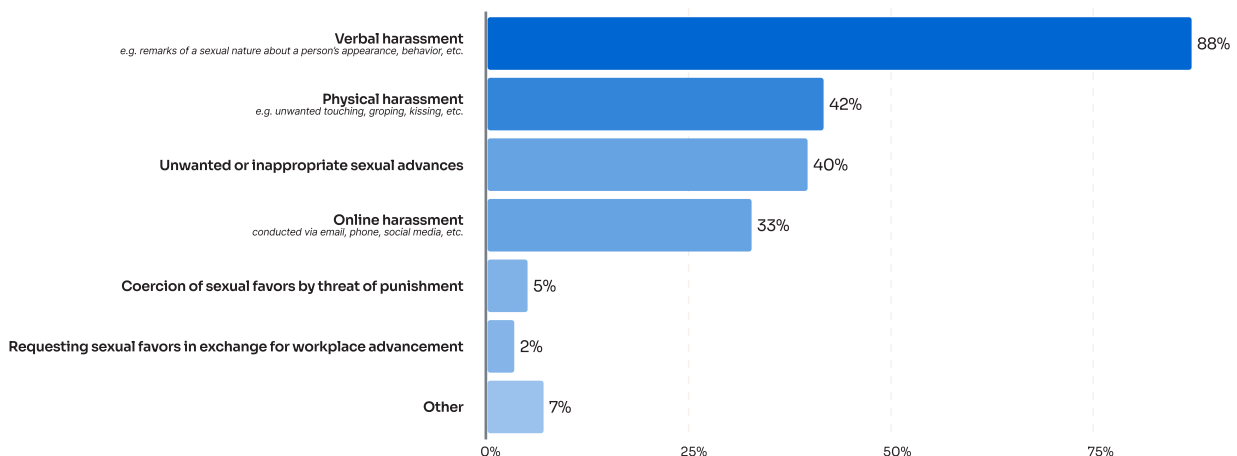
Family-Friendly Infrastructure & Culture

Statehouses are overwhelmingly failing to provide essential support for legislators with children, with extremely limited access to lactation rooms (28%), remote work flexibility (25%), breastfeeding spaces (19%), changing tables in restrooms (18%) and child care on-site (2%). Legislators supported culture improvements for parents including allowing legislators to bring young children into the chamber, allowing legislators to breastfeed in the chamber, and on-site childcare.

figure 2

THE MOST COMMON TYPES OF HARASSMENT ENCOUNTERED ARE VERBAL, PHYSICAL, AND UNWANTED SEXUAL ADVANCES

What type(s) of sexual harassment have you experienced and/or witnessed?



Sexual Harassment

Although most states have sexual harassment policies in place, a significant number of lawmakers report issues with implementation, effectiveness, and corruption.

Prevalence of Harassment

1 in 3 respondents reported they had experienced or witnessed harassment in the statehouse. Of those, 60% experienced it directly.

Types of Harassment

The most common types of harassment reported were verbal harassment (88%), physical harassment (42%), and unwanted sexual advances (40%). 60% of those who encountered sexual harassment said it negatively impacted their job experience.

Training and Awareness

60% of respondents reported that sexual harassment training is mandated for lawmakers. However, the timing and frequency of this training remain unclear for many, raising questions about its consistency and effectiveness.

Reporting Systems

Of those sexual harassment incidents that respondents reported, approximately half, 53%, were investigated. 25% indicated that their experience was not investigated, and 22% did not know the outcome of their report. Of those incidents that were investigated, less than half, 42%, led to accountability for the perpetrator. 36% of respondents indicated that the perpetrator was not held accountable with punishment or sanction, while 21% didn't know the outcome of the investigation.

Sample of Written Responses

- “ There is still a **‘good old boys’** atmosphere at the state house. It reinforces the reality that it is still controlled by old white men who hold all the power.”
- “ Many people (often the ones who need it most) skip the training.”
- “ When it comes to sexual harassment, **the fox guards the hen house.**”
- “ **“Watching the harassment makes you feel like you have no control** and you can't help the person. It's an awful feeling.”
- “ Policies are decided by **“Informal written gentlemen's agreement.”**”
- “ I felt **pressured to operate a certain way** in my capacity as a legislator, and it took me a long time to find my footing as I was made to feel weak and inexperienced by the individual harassing me.”
- “ Sexual harassment **“made me feel like I didn't belong, fear, shame, disrupted my ability to concentrate and focus on the work** before me.”
- “ **[It] caused feelings of exclusion.**”
- “ We have a **‘sexual harassment panel’** that is made up of folks who sexually harass. We need an **objective, outside entity**, ie. a human resources person/office to deal with pervasive issues of sexual harassment and hostile work environment.”
- “ **We should have an outside entity doing investigations.**”
- “ **[We need] public results reporting.**”
- “ ... having an impartial group of people that are **not legislators making the decisions about whether someone has or has not committed harassment.** Right now, it's a group of legislators.”

Pay & Benefits

The survey highlights a profound dissatisfaction with pay and benefits, including pay, paid leave, and general work-life balance.

Pay & Per Diem

79% of respondents believe their pay and benefits are insufficient. 50% of them retain employment outside of their legislative role.

Of those with paid employment outside the statehouse, 39% work another job full time, 35% part time, 10% contract and 3% hourly

When asked what would make their jobs more sustainable, over 60% said higher salary.

The most common benefits available were per diem payments for mileage (62%) and housing (40%).

Paid Family & Medical Leave

A minority of respondents said they are offered paid parental, family, or medical leave.

26% of lawmakers reported having access to Medical Leave, 25% having access to Family Leave and 19% having access to Parental Leave.

Several respondents, however, noted discrepancies in availability of these benefits to their staff members. For example, one lawmaker explained, “Leave is offered to lawmakers, but not to staff,” while another lawmaker pointed out the “different guidelines” between staff and elected officials.

Respondents feel that legislators should take parental, and vote remotely while on leave. 66% of respondents supported colleagues taking parental leave, and 58% endorsed the idea that lawmakers on parental leave should be allowed to vote remotely.

Sample of written responses

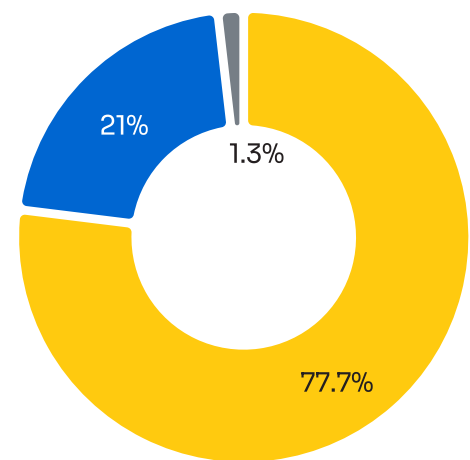
Our pay and benefits are not tied to any other state employee increases and so **have fallen way behind average salary** in [state]. This has made it harder and harder to serve if you are an average [state-er] who depends on your salary or job for your income, and made it harder to recruit and retain good candidates and legislators.”

Our statehouse should provide “**more ADA compliant facilities**” and “increase [the] housing per diem. [It is] getting expensive to rent temporary housing downtown.”

figure 3

DO YOU THINK THE SALARY & BENEFITS YOU CURRENTLY RECEIVE AS A LEGISLATOR ARE ADEQUATE REMUNERATION TO COVER THE COSTS ASSOCIATED WITH SERVING?

Yes | 21% I Don't Know | 1.3% No | 77.7%



Legislators are all part time, and just paid a daily rate — so we don't get any sort of paid leave. I believe staff have some, but we don't get any staff that works directly for individual legislators, so I don't know.”

It would be helpful to have “**remote voting** for excused leave types (family/medical/new parent)” and “**limiting voting hours** to 8–5pm if we do not have on site childcare offerings.”

Wage is not enough you have to **have outside income**, and job is really full time in and out of session.”

Family-Friendly Infrastructure & Culture:

Statehouse infrastructure for parents of young children is severely lacking and out of sync with the support for changing cultural norms.

Other benefits related to caregivers were also uncommon:

- Lactation Rooms (28%)
- Remote Work Flexibility (25%)
- Breastfeeding Spaces (19%)
- Changing Tables in Restrooms (18%)
- Child Care On-Site (2%)

59% of respondents support allowing legislators to bring young children into the chamber with another 18% saying they were neutral on it. 57% were supportive of allowing legislators to breastfeed in the chamber with another 20% indicating they were neutral on it.

53% of respondents support offering onsite childcare for legislators with 19% being neutral, and 51% support offering the same for legislative staff, with 24% neutral.

figure 4

AS A LAWMAKER, WHICH OF THE FOLLOWING ARE YOU PROVIDED WITH?

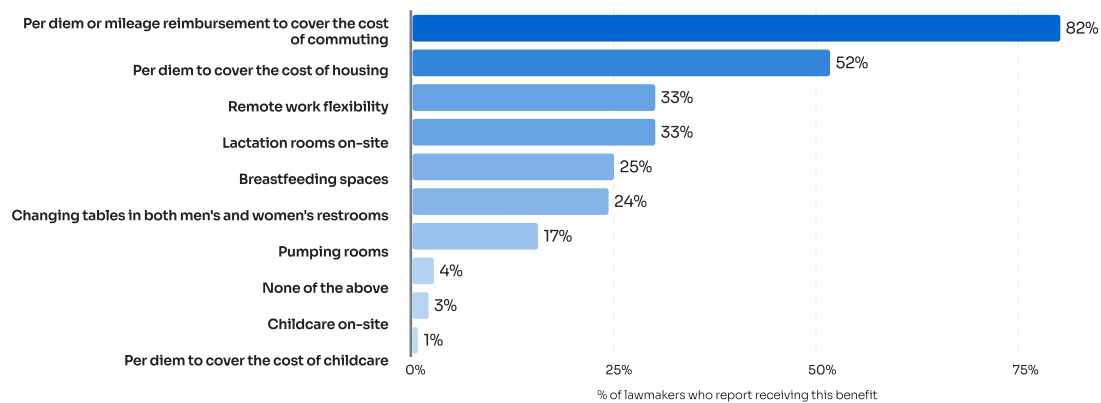
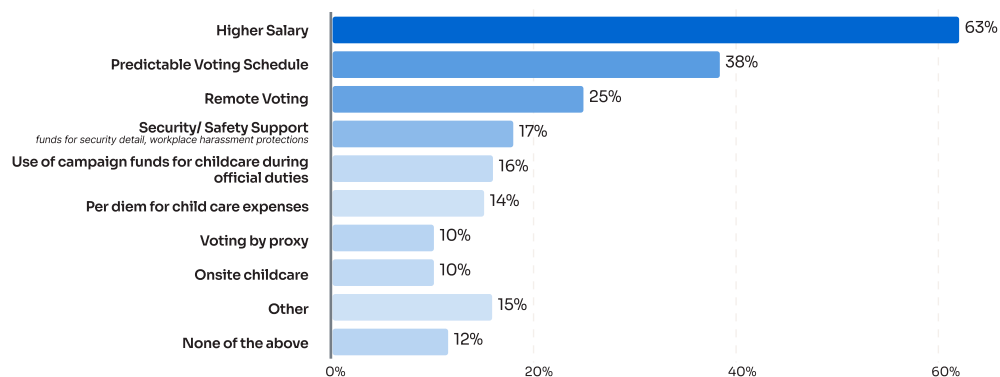


figure 5

WHAT CHANGES WOULD MAKE YOUR SERVICE AS A LEGISLATOR MORE SUSTAINABLE?



CONCLUSION: THE NEED FOR LEGISLATIVE MODERNIZATION

The survey results paint a troubling picture of state legislative workplaces in terms of accessibility, safety and equity. The lack of adequate sexual harassment policies and oversight, the low pay and limited paid leave benefits, and the severely limited statehouse infrastructure for parents of young children, create barriers that disproportionately impact women, mothers, caregivers, and people from diverse socioeconomic and cultural backgrounds from running, serving and advancing in state legislative office. With state legislatures serving as the biggest pipeline for higher offices, the resonant effects of these barriers is far reaching and profound.

A suite of legislative modernization efforts is needed. As one respondent put it: “Our pay is too low, we have no staff, there is no lactation room for new parents, there is no HR to deal with issues of hostile work environment, sexual harassment. We need all of these things to make improvements.”

Opportunities for reform are clear and lawmakers should address these systemic inequities by pursuing legislative modernization initiatives and policies, including:

1. Codifying & Implementing Clear, Effective, & Unbiased Sexual Harassment Policies

State legislatures should create and implement comprehensive, clear, and consistent sexual harassment policies with enforced reporting mechanisms and accountability measures.

2. Paying a Living Wage, Providing Paid Leave, & Improving Benefits

State legislatures should increase salaries to a living wage; offer adequate family, medical and parental leave; and use other benefits to address inequities such as socioeconomic, geographic, and those experienced by parents and caregivers, including but not limited to like remote work flexibility and travel reimbursements/per diem.

3. Modernizing Statehouse Infrastructure & Culture

State legislatures should update infrastructure to make it family-friendly for parents of young children with necessities like lactation rooms, changing tables, and on-site child care. They should also make cultural improvements that include breastfeeding spaces, remote voting and more.

ACKNOWLEDGEMENTS

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NWDL expresses its gratitude to all respondents for their participation in this survey.



National Women's Defense League

nationalwomensdefenseleague.org

The National Women's Defense League (NWDL) is a nonpartisan organization dedicated to preventing sexual harassment and protecting survivors. Our aim is to shine a light on the problem of sexual harassment and its impacts, and to promote solutions. We do research to help understand the breadth of the problem, we provide education for the public and decision makers, and we develop policies and best practices that prevent sexual harassment and protect survivors. The National Women's Defense League is a project of the Center for Transformative Action.