



2024 OCWR ANNUAL REPORT

A Report on Workplace Rights, Safety and Health, and Accessibility
under the Congressional Accountability Act



The Congressional
Accountability Act of 1995
(CAA), as amended, applies workplace
protections to the more than 30,000
employees of the legislative branch. The Office of
Congressional Workplace Rights (OCWR) administers
the CAA through its programs of education, dispute
resolution, inspection, and enforcement. This Annual
Report provides statistical data regarding the
use of OCWR services and summarizes OCWR
accomplishments from January 1, 2024–
December 31, 2024 under the Strategic
Plan. For more information about the
OCWR, visit ocwr.gov.

Congressional Workplaces Covered by the CAA



United States House of Representatives



United States Senate



Architect of the Capitol



Commission on Security and Cooperation in Europe (Helsinki Commission)



Congressional Budget Office



Congressional-Executive Commission on China



Government Accountability Office*



Library of Congress**



Office of Attending Physician

Office of Congressional Accessibility Services



Office of Congressional Workplace Rights



Office of Technology Assessment



Stennis Center for Public Service



United States Capitol Police



United States-China Economic and Security Review Commission



United States Commission on International Religious Freedom

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*Certain provisions of the CAA do not apply to the Government Accountability Office (GAO); however, GAO employees may have similar legal rights under different statutory provisions.

**The Library of Congress is covered by the CAA except under 2 U.S.C. § 1351 (Section 220).

Workplace Rights and Protections for Legislative Branch Employees

The legislative branch includes the U.S. Congress and its employing offices. Legislative branch employees have numerous workplace rights and protections under the CAA. In some instances, applicants for legislative branch jobs, former employees, and interns may have rights. Please visit ocwr.gov for more information.

Protection From Unlawful Discrimination

Prohibits harassment and discrimination in personnel actions based on race, color, national origin, sex, religion, age, or disability.

2 U.S.C. § 1311 (Section 201)

Protections for Pregnant Workers

Requires employers to provide reasonable accommodations for an employee's known limitations related to pregnancy, childbirth, or related medical conditions.

42 U.S.C. § 2000gg et seq.

Protection for Exercising Workplace Rights

Prohibits employing offices from intimidating or retaliating against employees who exercise their rights under the CAA.

2 U.S.C. § 1317 (Section 208)

Genetic Information Nondiscrimination and Privacy

Prohibits the use of genetic information as a basis for personnel actions.

2 U.S.C. § 1302(c) (Section 102(c))

Uniformed Services Rights and Protections

Protects the job rights of individuals who leave employment positions to undertake uniformed service and prohibits discrimination on the basis of present or past membership in the uniformed services.

2 U.S.C. § 1316 (Section 206)

Veterans' Employment Opportunities

Gives eligible veterans enhanced access to certain job opportunities.

2 U.S.C. § 1316a (VEOA Section 4(c))

Family and Medical Leave

Provides rights and protections for employees taking or requesting leave for specified family and medical reasons.

2 U.S.C. § 1312 (Section 202)

Fair Labor Standards

Requires the payment of minimum wage and overtime compensation to nonexempt employees, restricts child labor, and prohibits sex-based wage differentials.

2 U.S.C. § 1313 (Section 203)

Hazard-free Workspaces

Requires employing offices to comply with occupational safety and health standards and to provide workplaces free of recognized hazards.

2 U.S.C. § 1341 (Section 215)

Collective Bargaining and Unionization

Protects the rights of certain legislative branch employees to form, join, or assist a labor organization or to refrain from such activity.

2 U.S.C. § 1351 (Section 220)

Accessibility

Protects members of the public with disabilities from being denied access to public services, programs, activities, or places of public accommodation in the legislative branch.

2 U.S.C. § 1331 (Section 210)

Fair Chance to Compete for Jobs

Prohibits employing offices from asking most job applicants about their criminal history prior to extending a conditional offer of employment.

2 U.S.C. § 1316b (Section 216(b))

Polygraph Testing Prohibition

Generally prohibits requiring or requesting that an employee take a polygraph test; using, accepting, or inquiring about the results of a polygraph test; or firing or discriminating against an employee based on the results of a polygraph test or for refusing to take a test.

2 U.S.C. § 1314 (Section 204)

Notification of Office Closings and Mass Layoffs

Under certain circumstances, requires that employees be notified of an office closing or of a mass layoff at least 60 days in advance of the event.

2 U.S.C. § 1315 (Section 205)

Statement from the Chair of the Board of Directors



On behalf of the Board of Directors of the Office of Congressional Workplace Rights, I am very proud to present the Office's Annual Report for 2024. This report details the work the OCWR continues to do to maintain the promise Congress made nearly 30 years ago with the passage of the Congressional Accountability Act to ensure workplace rights and protections for legislative branch employees.

Nearly 30 years ago, Congress passed the CAA and committed itself to be accountable under the same federal workplace rights, safety and health, and public access laws and regulations as applied to the executive branch and the private sector. Congress established the OCWR as the independent office of the House and the Senate that implements the CAA in the legislative branch. The OCWR's mandate is broad, and its work is essential for Congress to ensure that its commitment to accountability is matched by action. Through the CAA, the OCWR's Board of Directors continues this commitment by providing Congress with information and recommendations necessary to ensure parity between the rights and protections applied

to the legislative branch and those applied to the executive branch and the private sector.

I am pleased to report that the OCWR skillfully and efficiently performed its essential and ongoing mission in 2024, educating legislative branch staff on their workplace rights, providing confidential advising services, timely processing claims alleging CAA violations, and administering labor-management proceedings. In addition, the Office conducted critical inspections of legislative branch facilities to ensure that they are both safe and accessible for people of all abilities.

Finally, on the eve of the 30th anniversary of the CAA, we want to recognize the strong and effective partnership the OCWR has with Members and staff of our oversight committees. The accomplishments outlined in this report are a testament to the steadfast work and dedication of these professionals to continue to advance workplace rights for legislative branch employees under the CAA.

Sincerely,
Barbara Childs Wallace
Chair, Board of Directors

Statement from the Executive Director



I am pleased to present the Annual Report of the Office of Congressional Workplace Rights for 2024. Congress passed the Congressional Accountability Act with virtually unanimous support in 1995. In doing so, it promised the American public that it would no longer exempt itself from the workplace, safety, and accessibility laws that it applied to the private sector and the executive branch. In 2018, the 115th Congress overwhelmingly renewed this pledge when it passed the CAA Reform Act, thereby reaffirming its unwavering commitment to the principles embodied in the CAA.

For nearly 30 years, the OCWR has served as the independent office of the House and the Senate that implements and enforces the CAA. Although the OCWR is a small office, its mandate is broad, and its work is critical to ensuring that the legislative branch remains accountable to the American public.

I am pleased to report that in 2024, the OCWR continued to execute its ongoing mission while serving as a model of accountability and efficiency in government. In doing so, our Office continued to perform many of the functions charged to a broad

array of executive branch agencies, such as the Equal Employment Opportunity Commission, the Federal Labor Relations Authority, the Occupational Safety and Health Administration, and other components of the Departments of Labor and Justice. We achieved our success with a fraction of the resources possessed by the smallest of these agencies.

As this report makes evident, our dedicated staff drove the OCWR's success. This past year, our specialists, inspectors, attorneys, and management staff worked diligently to further the OCWR's mission. The OCWR's work has had a direct impact on those who work for the legislative branch and those who visit legislative branch facilities across the country, including the U.S. Capitol.

As we approach the 30th anniversary of the CAA, we look forward to advancing the important mission that Congress set out for us, thereby ensuring that Congress's promise of accountability in the legislative branch continues to be matched by action.

Sincerely,
Martin J. Crane
Executive Director

OCWR Board of Directors



The Office of Congressional Workplace Rights has a five-member Board of Directors appointed jointly by the majority and minority leadership of both the U.S. House of Representatives and the U.S. Senate. All current Board members are attorneys who have extensive training and experience in the workplace laws made applicable to the legislative branch by the CAA.

Part 1

Statistics on Use of Confidential Advising and Administrative Dispute Resolution Services

A critical mission of the OCWR is to provide confidential advising and alternative dispute resolution (ADR) services for workplace rights claims. In Part 1, we provide statistical data about the use of these services by congressional employees (as required by 2 U.S.C. § 1381(h)(3)). The services are described below, and the statistical use of these services in 2024 are in the graphics that follow.

CONFIDENTIAL ADVISING (P. 9–12)

Requests for Information

An employee, an employing office, an attorney (representing an employee or employing office), or a union representative may seek information and ask questions on the protections, rights, responsibilities, and available procedures under the CAA. The OCWR maintains the confidentiality of requests for such information.

Requests for Advice

As required by the CAA, a covered employee may seek confidential and privileged advising services from a confidential advisor. The confidential advisor can discuss the workplace concerns of covered employees and inform them of their rights under the CAA. The employing office of the covered employee is not notified that an employee has

requested or received confidential advising services.

ADMINISTRATIVE DISPUTE RESOLUTION (P. 13–14)

Under the CAA, covered employees can choose to have their workplace rights administratively resolved through the OCWR's ADR process. To begin the process, the covered employee must first file a timely claim with the OCWR. All claims alleging violations of the CAA must be filed with the OCWR during the 180-day period that begins on the date of the alleged violation.

Preliminary Review

Each claim form filed with the OCWR will undergo a preliminary review by an independent OCWR preliminary hearing officer to determine whether the claimant is a covered employee with a covered employing office who has stated at least one claim for which relief may be granted under the CAA. Employees with claims passing preliminary review may request an OCWR administrative hearing, or they may file a complaint in federal district court.

Merits Hearing

Claimants who pass preliminary review may request a merits hearing before the OCWR. Once a request is received, the OCWR appoints an independent merits hearing officer to conduct a hearing on the claim. The merits hearing is similar to court proceedings but

is confidential to the parties and takes place on a shorter time frame. The hearing officer will review the claim and conduct proceedings to determine whether the claimant has proved their case. The hearing officer will then issue an order resolving the case. Once an order is issued, either the employee or the employing office can appeal a hearing officer's decision to the OCWR's Board of Directors for review.

Mediation

All claimants before the OCWR may request confidential mediation at any point from the day after the claim is filed until the day a final resolution is reached. Mediation is an interactive process in which an employee who has filed a claim and the claimant's employing office meet with a mediator, either jointly or separately, to discuss their disputes and seek resolution. Mediation is voluntary and either party can request it; however, both parties must agree to mediation at which point the OCWR will appoint a mediator. OCWR mediators are independent, neutral, and experts in dispute resolution. During the 30-day period of mediation, which can be extended for 30 more days, the OCWR covers the costs of the mediator's services. Mediation is often successful. It often achieves a prompt and mutually acceptable resolution of workplace rights disputes without the need for further litigation.

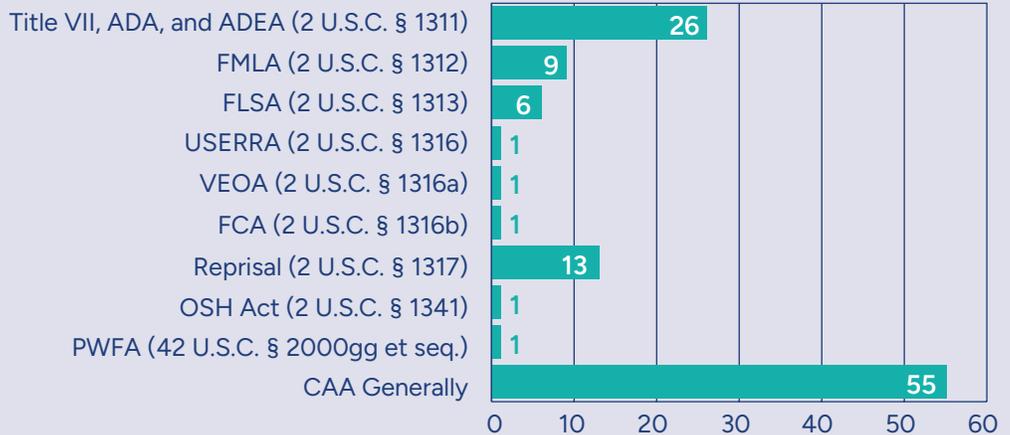
Confidential Advising

Requests for Information in 2024

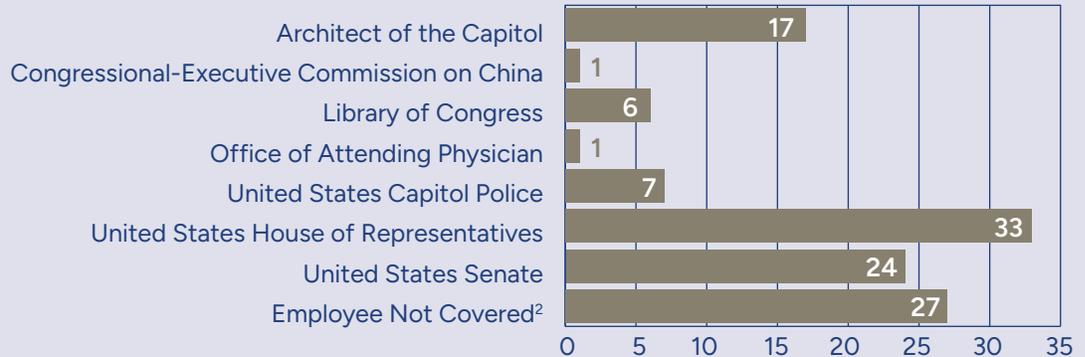
Total: 116¹

Workplace Rights: 59; Procedural Rules: 31; About the CAA Generally: 55

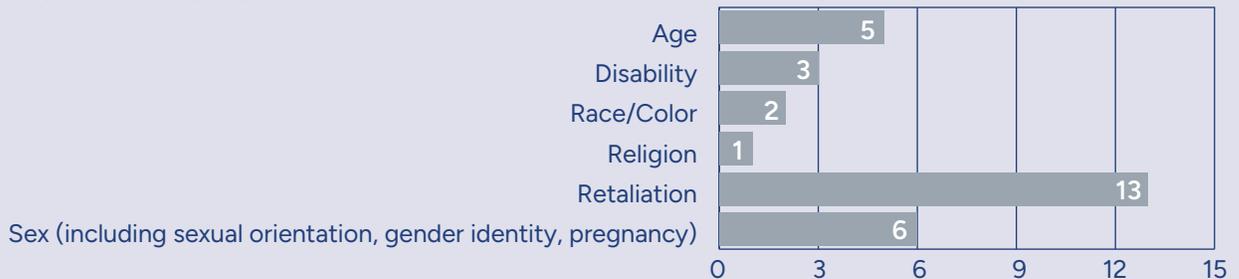
Workplace Rights Law Discussed



Employee From



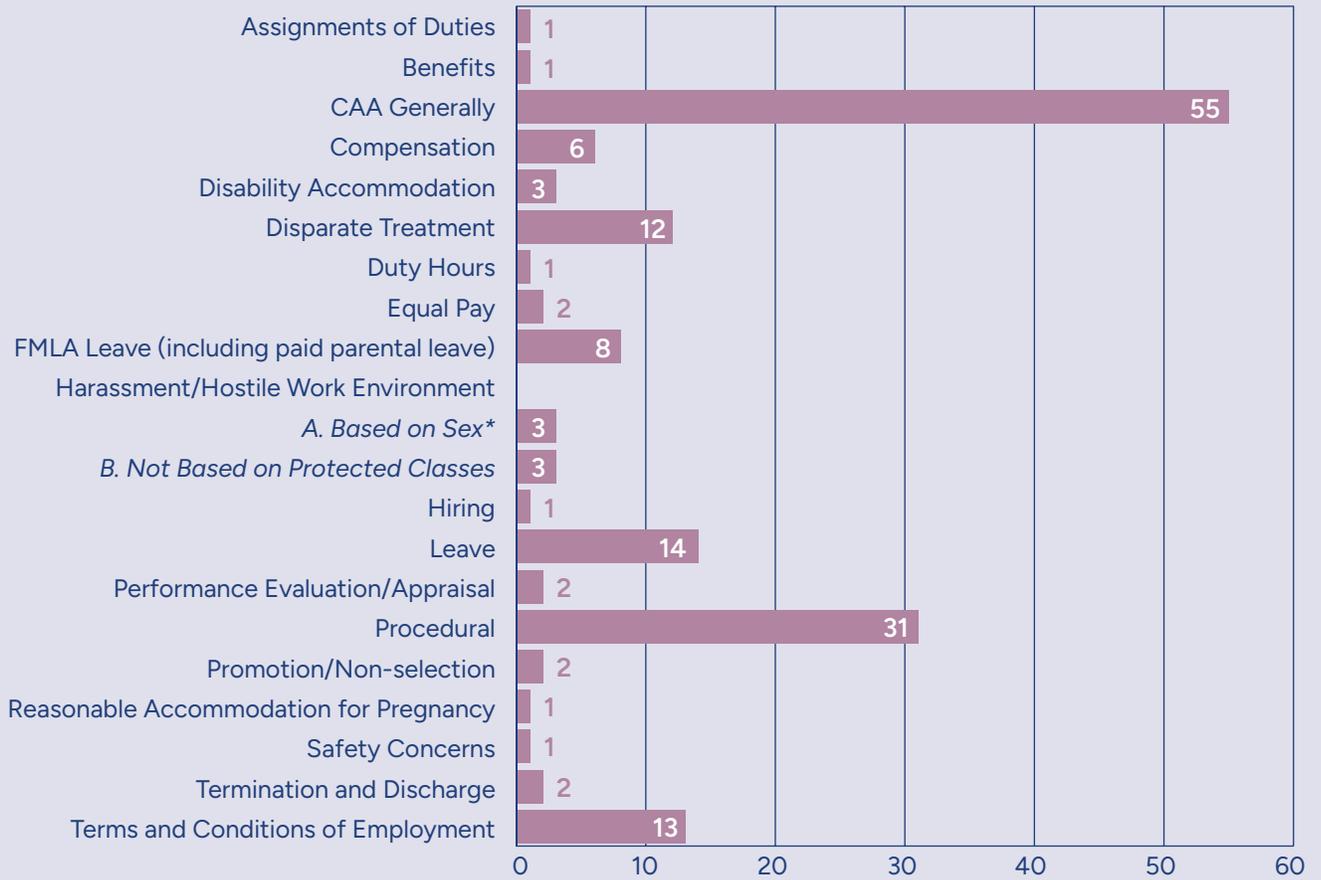
Discrimination and Retaliation



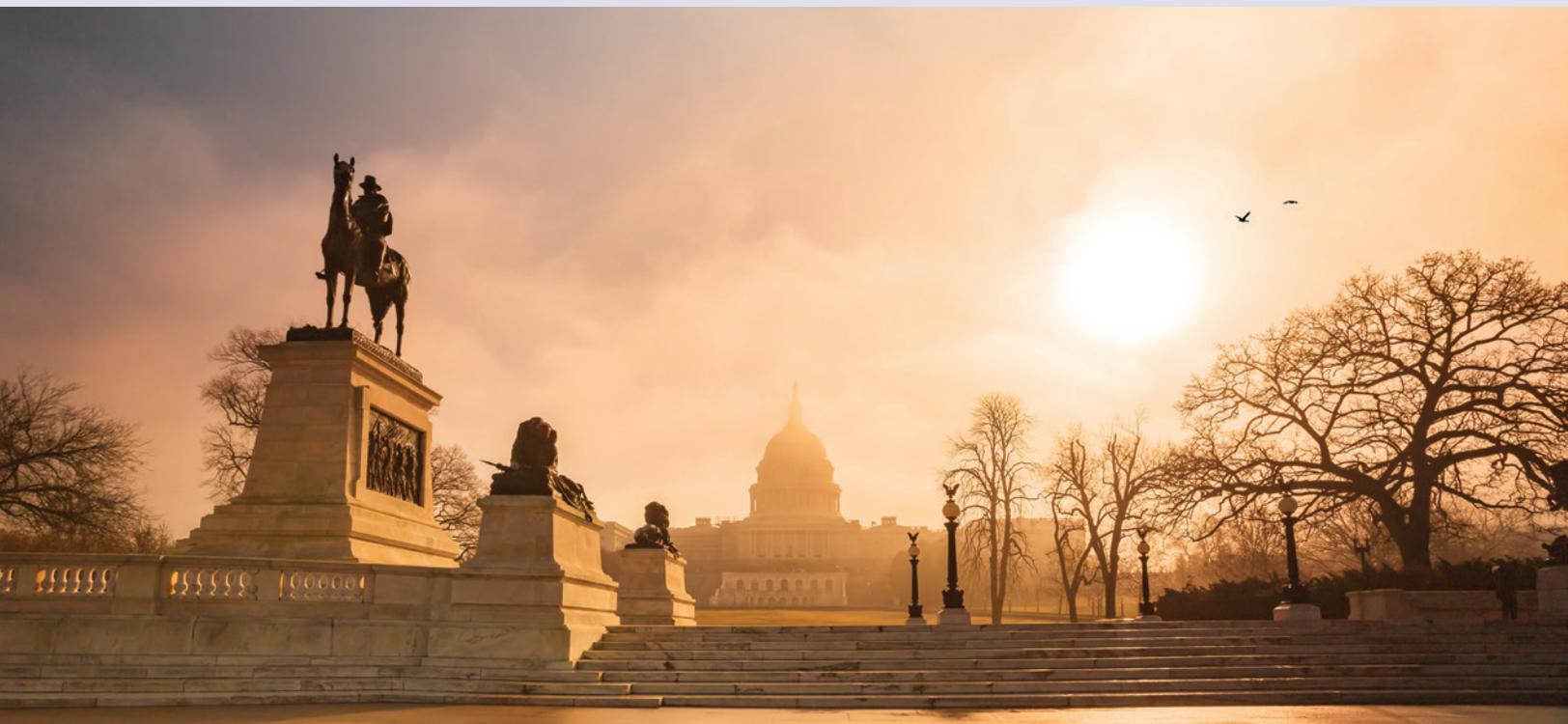
¹The total number of requests for information reflects the number of individuals requesting confidential advisor assistance. Each request involves a discussion on multiple sections of the CAA and the workplace issues involved, and may reflect a combination of questions concerning workplace rights and applicable procedures or a general explanation on the covered community and covered laws under the CAA.

²Typically, an employee not covered by the CAA, including private sector, judicial, or executive branch employees.

Workplace Issues Involved



* Including sexual orientation, gender identity, or pregnancy.



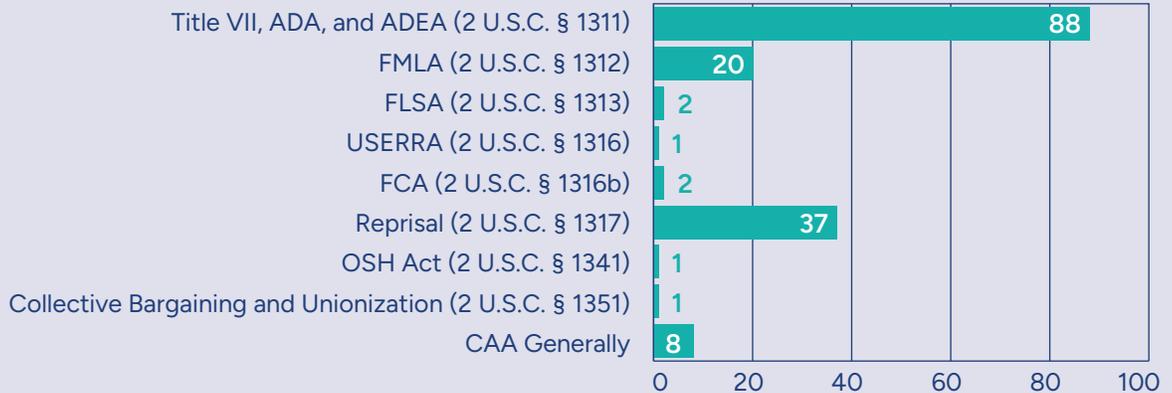
Confidential Advising

Requests for Advice in 2024

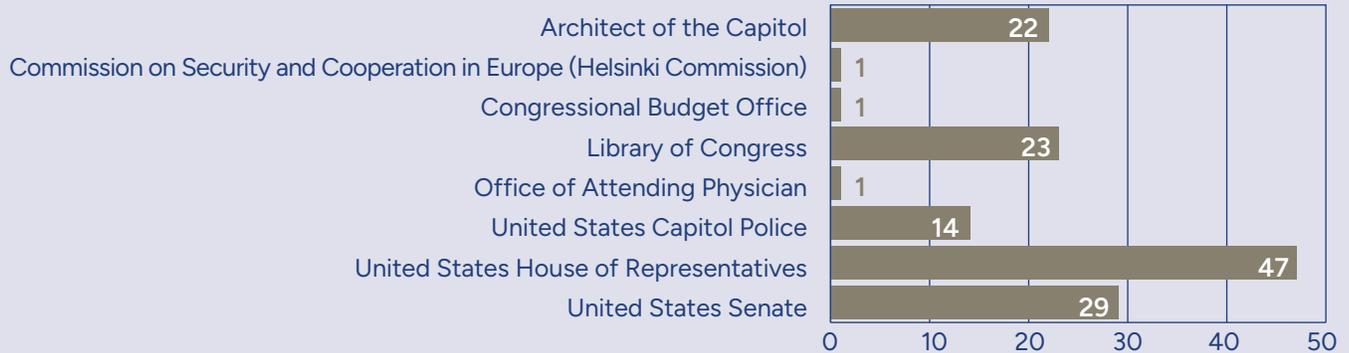
Employees Requesting Confidential Advice: 138³

Workplace Rights Laws: 152; Procedural Rules: 64; About the CAA Generally: 8

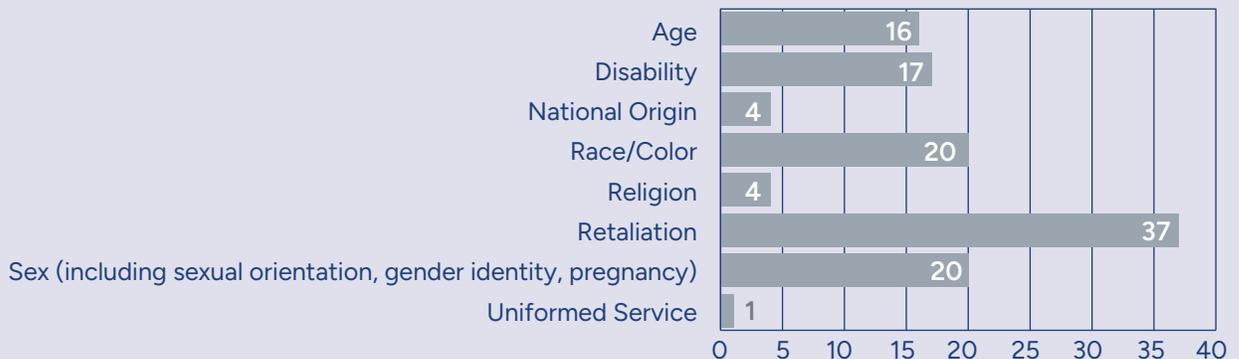
Workplace Rights Law Discussed



Employee From

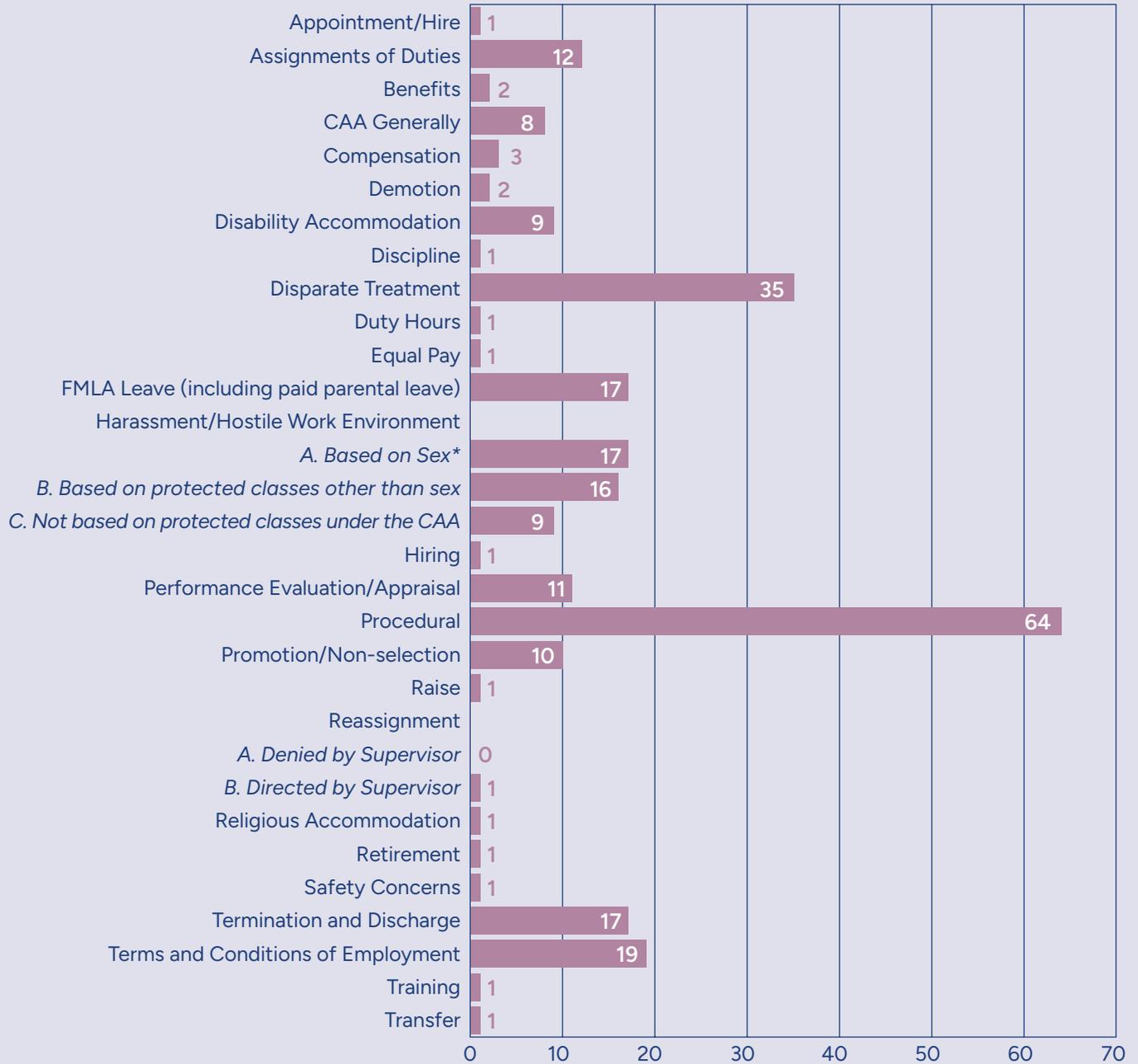


Allegations of Discrimination and Retaliation



³This number does not include employees who request general information.

Workplace Issues Involved



* Including sexual orientation, gender identity, or pregnancy.



Administrative Dispute Resolution

Workplace Rights Claims Processed in 2024

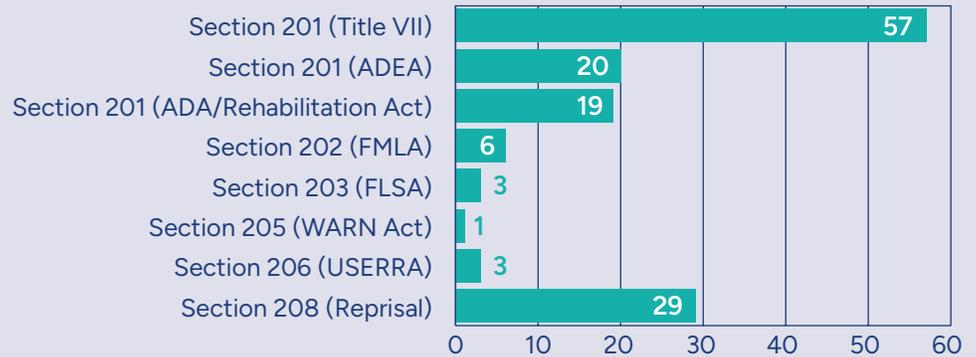
More information on the OCWR ADR program can be found at ocwr.gov.

Activity for Claims Filed

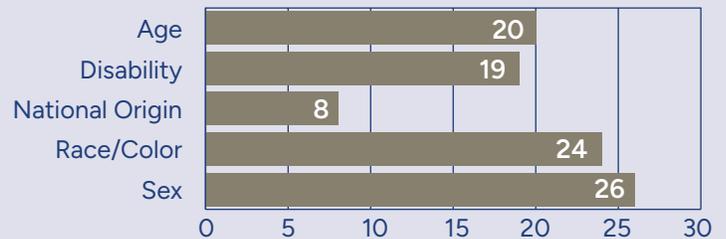
Total Active Cases—2024	82
Claims pending from 2023	24
Claims filed in 2024	58
Claim Activity 2024	
Preliminary review	59
Preliminary review reports issued	51
Claims that passed preliminary review	46
Mediations requested	42
Mediations agreed to	39
Hearings requested	40
Hearings opened	13
Claims pending before a merits hearing officer before December 31, 2024	7
Claim Disposition in 2024	
Claims that did not pass preliminary review	5
Claims filed in federal district court	10
Claims closed when claimants failed to request an administrative hearing ⁴	9
Claims withdrawn during preliminary review	2
Claims withdrawn during hearing phase	7
Claims withdrawn during mediation	0
Hearing officer decisions	3
Claims dismissed by hearing officer based on a dispositive motion	2
Claims settled	26
Claims open at the end of 2024	13
Board Activity in 2024	
Claims appealed to the Board of Directors	2
Decisions issued by the Board of Directors on claims	1

⁴ Some of these claims were subsequently filed in federal district court.

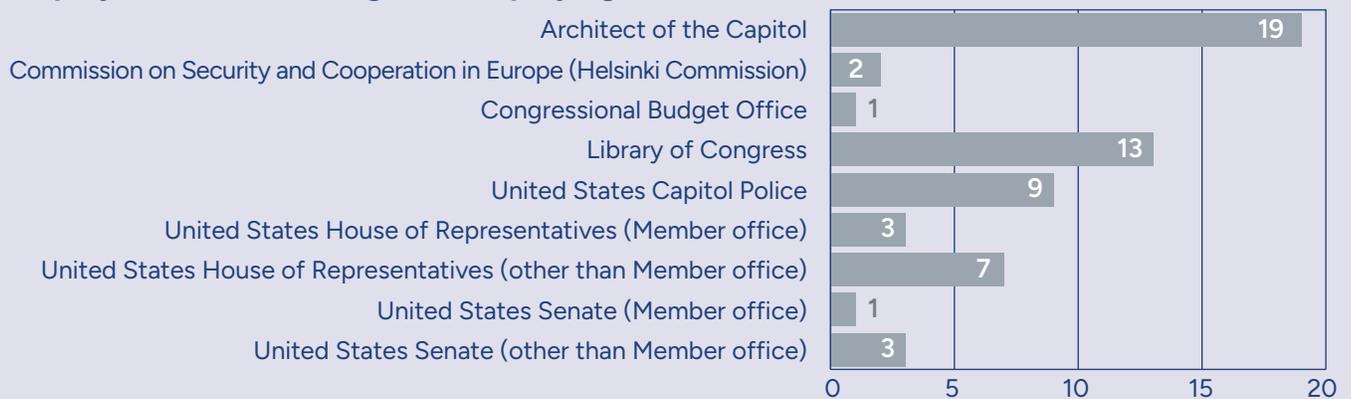
Employee Claims Filed By Workplace Rights Law—2024⁵



Employee Claims By Protected Class



Employee Claims Filed Against Employing Offices



⁵ A single claim may allege a violation of more than one section of the CAA.



Part 2

Accomplishments in Safety and Health, Outreach and Education, and Labor-Management Relations Under OCWR's 2021–2026 Strategic Plan

The following sections of this report highlight key OCWR accomplishments in 2024 in support of the Strategic Plan. The current Strategic Plan establishes five important goals and guides the Office's allocation of its resources to achieve these goals.



STRATEGIC GOAL 1

Advance understanding of workplace rights and best practices through education and outreach to the congressional community.

STRATEGIC GOAL 2

Promote a fair, safe, and accessible congressional workplace through efficient and effective enforcement of statutory rights.

STRATEGIC GOAL 3

Foster productive collective bargaining relations in the legislative branch.

STRATEGIC GOAL 4

Optimize OCWR performance by developing and maintaining a highly motivated, talented, and satisfied workforce.

STRATEGIC GOAL 5

Maximize use of evolving technologies and social media to advance OCWR goals and maintain security.

Strategic Goal 1—Advance understanding of workplace rights and best practices through education and outreach to the congressional community.

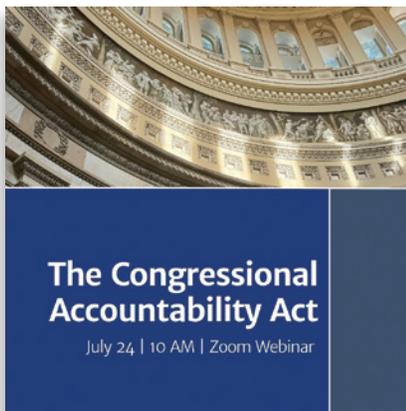
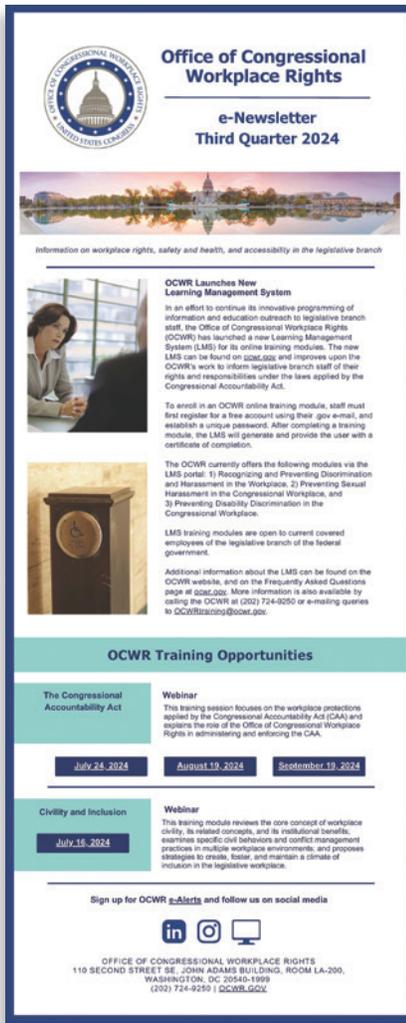
OUTREACH AND EDUCATION

► In 2024, the OCWR Communications Team

continued its work with partners throughout the legislative branch to promote the works of the Office. This was accomplished through OCWR website updates, and the distribution of information through flyers, news articles, electronic bulletin board designs, community outreach tabling, and social media campaigns (see social media work

and statistics under Strategic Goal 5) to reach as many individuals in the CAA covered community as possible.

► The OCWR Communications Team provided detailed information to legislative branch staff working in offices nationwide. The Team distributed the OCWR's quarterly *e-Newsletter* to D.C., State, and



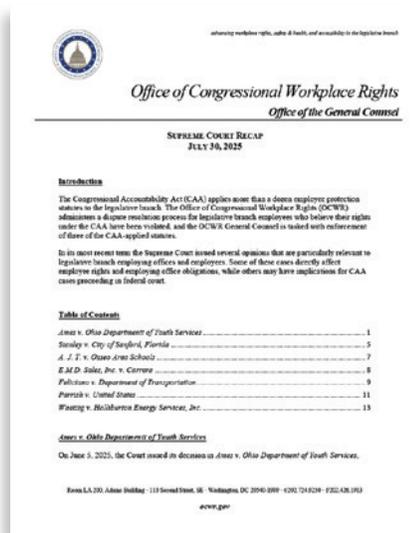
District office staff. Throughout 2024, the OCWR *e-Newsletter* updated the legislative branch community on the OCWR's work, such as the introduction of the new OCWR Executive Director, the launch of the Congressional Workplace Climate Survey for the 118th Congress, and timely virtual and in-person training opportunities.

- ▶ Additionally, in 2024, the OCWR's Communications Team revised the OCWR brochure, *Know Your Rights in the Legislative Branch*, with updated information on the OCWR's administrative dispute resolution process under the CAA.
- ▶ Continuing the upgrade of OCWR's innovative information and education outreach programming, the Communications Team led the launch of the new OCWR in-house/online Learning Management System (LMS) for online training modules for legislative branch staff. The new LMS can be found on ocwr.gov and enhances the OCWR's ability to inform legislative branch staff of their rights and responsibilities under the laws applied by the CAA. Additionally, the LMS gives the OCWR more control over the design, editing, and updating of its existing training modules as well as better access to analytics that track the effectiveness of this online training resource.

- ▶ The OCWR exceeded its goal of increasing the number of attendees at its live trainings by over twenty-six percent from 2023. The OCWR Outreach and Education Team developed and delivered effective training to the congressional community and was responsive to all training requests in 2024. The OCWR trained 1,025 attendees in live sessions and registered 353 completions on the LMS. The

Office's online informational videos were viewed 875 times.

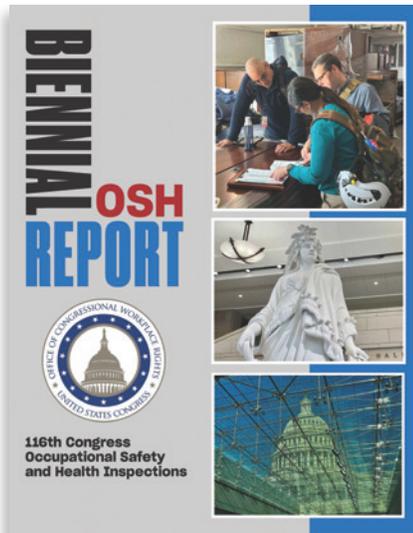
- ▶ The OCWR's Workplace Rights Specialists conducted forty-one live training sessions in 2024. Video-conferencing tools enabled staff working in State and District offices to participate in training alongside their D.C.-area colleagues. Thirty of the sessions were conducted via video-conferencing software, while two were in a hybrid format involving both in-person and remote attendance. The remaining nine sessions were conducted in-person. Additionally, the Workplace Rights Specialists presented at four District State Staff Institute events to inform out-of-area staff of their rights under the CAA.
- ▶ The Outreach and Education Team also offered seventeen pop-up training sessions for covered legislative branch employees, including fourteen webinars and three in-person pop-ups. Of these, eleven were CAA pop-ups, during which attendees were provided information on the CAA's workplace protections and safety provisions, the OCWR's role in administering and enforcing these laws, procedures for asserting workplace rights, and the administrative dispute resolution process. The OCWR also delivered six pop-up training sessions on topics affiliated with the CAA.
- ▶ The Outreach and Education Team continued reviewing and updating its training modules in 2024, including 1) the CAA module, revised to improve explanations of applicable laws and include new scenarios; 2) Civility in the Workplace, which was revised to include a discussion on workplace



cohesion; and 3) Resilience, which was modified to improve attendee introspection.

- ▶ The Communications Team coordinated the editing, design, production, and publication of important OCWR reports, such as the Occupational Safety and Health (OSH) Biennial Report for the 116th Congress, the Americans with Disabilities Act (ADA) Guidance Report, the ADA Biennial Report for the 117th Congress, the 102(b) Report for the 119th Congress, and the 2023 OCWR Annual Report.
- ▶ The Communications Team was also responsible for the coordination and delivery of all OCWR regulations and reports to the Congress in 2024.

- ▶ The OCWR's Office of the General Counsel (OGC) organized four virtual Brown Bag Lunch presentations for management attorneys in the legislative branch. The topics were wide-ranging, addressing many aspects of the CAA: OSH Law, Inspections, and Investigations (presented jointly with the OCWR's OSH Program Manager and OSH Data Analyst); CAA Statutory, Regulatory, and Case Law Updates; a Supreme Court Recap covering decisions from the most recent Supreme Court term that were of particular relevance to legislative branch employees and employing offices; and our annual Federal Case Law Update, which surveyed cases out of the federal courts of appeals



concerning the CAA-applied statutes and included a preview of relevant upcoming Supreme Court cases.

BOARD OF DIRECTORS Recommendations to Congress

▶ Section 102(b) of the CAA provides for ongoing review of the workplace laws that apply to Congress. In accordance with the CAA, the OCWR Board of Directors is to provide each Congress with recommendations regarding the applicability to the legislative branch of federal workplace rights, safety and health standards, and public access laws.

▶ The Board's fulfillment of this requirement provides Congress with information and recommendations necessary to ensure parity between legislative branch workplace protections and those applied to the executive branch and to the private sector.

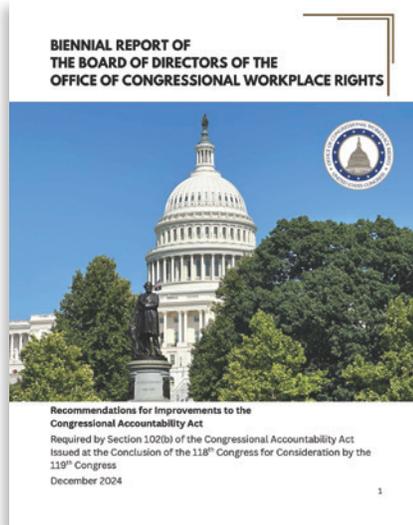
▶ The Board is proud of the impact that its past Section 102(b) Reports and recommendations have had in shaping important congressional reform of the legislative branch workplace, including the implementation of prior recommendations that anti-discrimination, anti-harassment, and anti-retaliation training be mandatory for all Members, offices, and employees, and that workplace protections be extended to unpaid staff.

▶ In late December 2024, the Board submitted its Section 102(b) Report for the 119th Congress, which is available on the OCWR website at ocwr.gov. The next report is due in December of 2026.

CAA Regulations

▶ Under section 304 of the CAA, the OCWR Board of Directors is required to promulgate substantive regulations implementing certain workplace laws made applicable by the CAA that are equivalent to regulations implementing those same laws in the executive branch. In 2021, the Fair Chance to Compete for Jobs Act (FCA) provisions of the CAA became law. The FCA prohibits federal employers, including employing offices in the legislative branch, from requesting most job applicants to disclose information on arrest and conviction history until a conditional job offer has been extended. The FCA directs the OCWR Board of Directors to issue regulations implementing the FCA in the legislative branch. In 2024, the OCWR Board adopted and requested congressional approval of regulations to implement the FCA. Prior to submitting its adopted FCA regulations for congressional approval, the Board published proposed FCA regulations in the *Congressional Record* for public comment.

▶ Additionally, in December 2022, Congress passed the Pregnant Workers Fairness Act (PWFA), which expands the protections for pregnant employees, unpaid staff, and applicants by requiring employers to make reasonable accommodations to known limitations related to pregnancy, childbirth, or related medical conditions. The law, which became effective in June 2023, directs the Board to promulgate implementing regulations for the application of the PWFA in the legislative branch that are equivalent to regulations that the Equal Employment Opportunity Commission



promulgated to implement the PWFA in the private sector and the executive branch.

- ▶ The Board's work on the FCA and PWFA regulations, including soliciting public comment on proposed regulations, will continue into 2025. The OCWR has published, and will continue to publish on its website, informational material and procedures concerning the application of these laws in the legislative branch, and the Office is ready to process any claims or requests for information on these topics that it receives.

Strategic Goal 2: Promote a fair, safe, and accessible congressional workplace through efficient and effective enforcement of statutory rights

In 2024, the OCWR's Office of the General Counsel continued its biennial Occupational Safety and Health (OSH) and Americans with Disabilities Act (ADA) inspections for the 118th Congress. The biennial inspections include reviews of self-certifications of OSH self-inspections of out-of-area offices. In addition, several investigations were completed, and new OSH and ADA investigations based on reported incidents or requests from covered employees and the public were initiated. The OGC continued to work with employing offices to abate safety and health hazards and remove barriers to access for persons with disabilities.

BIENNIAL OSH INSPECTIONS, INVESTIGATIONS, AND EDUCATION

- ▶ In-person inspections of covered areas included the Office of the



GENERAL COUNSEL'S BROWN BAG PRESENTATIONS

February 28, 2024: OSH Law, Inspections, and Investigations



OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS (OCWR)
advancing workplace rights, safety and health, and accessibility in the legislative branch

OCWR Fast Facts

Take Our Safety Quiz



1. What work does the Office of Congressional Workplace Rights conduct in the legislative branch?

- A. Fixes building code violations
- B. Administers and ensures the integrity of the Congressional Accountability Act through its programs of education, dispute resolution, safety and health, public accessibility, and labor-management relations
- C. Writes laws about electrical and fire code
- D. All of the above

2. What is a "staging area" or "area of refuge"?

- A. A predetermined space located by elevator lobbies for use by disabled individuals where they can wait for firefighters or police officers to safely escort them out of the building
- B. An enclosed space protected from heat and smoke
- C. A place inside, usually the lobby, where emergency officials gather to make plans
- D. None of the above

3. "Not An Exit" signs are important.

- A. True
- B. False

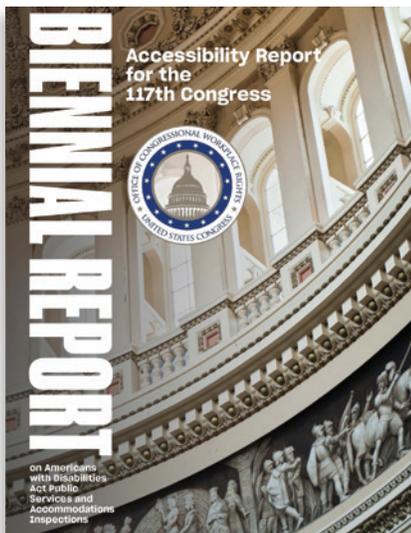
4. How long is it okay to use an extension cord, according to Occupational Safety and Health Administration (OSHA) regulations?

- A. Indefinitely
- B. Six months
- C. For up to a maximum of 90 days and may not be used to permanently energize equipment
- D. None of the above

Chief Administrative Officer of the House, the U.S. Botanic Garden, the Senate Sergeant at Arms, the Stennis Center for Public Service, the U.S.-China Economic and Security Review Commission, the U.S. Commission on International Religious Freedom, the Helsinki Commission, the Congressional Budget Office, the Supreme Court Building, Senate Members' offices, high-hazard areas of the House Office Buildings, the U.S. Capitol Grounds and Arboretum, the Government Accountability Office, childcare facilities, the Thomas Jefferson Building of the Library of Congress, and other Library of Congress sites including the Packard Campus, Ft. Meade, and Cabin Branch. The OSH Team also concluded its inspection of a small number of House Member offices that were not available for entry during the previous year.

- ▶ The OGC's OSH Team completed 98% of its inspections within the established time frame. All scheduled inspections were conducted and completed as planned except for one Senate Member office, which was under construction during the scheduled Senate Member office inspections, and the National Library Service for the Blind and Print Disabled, which was in the process of moving to a new space at the originally scheduled time of the inspection, and which will be inspected early in the 119th Congress.

- ▶ The OCWR opened four OSH cases in calendar year 2024 based on requests for inspection from covered employees and unions. The first case, related to concerns over possible lead exposure, was closed within four months. The remaining cases involve such varied concerns as heat stress, hazardous material decontamination procedures, and mold. The OGC continues to investigate these issues and work with the employing offices to abate any potential hazards.
- ▶ In 2024, the OGC closed four cases that had been opened in previous years, along with one citation concerning fire safety hazards related to the Library of Congress's book conveyor system.
- ▶ The OGC also responded to several informal requests for information that did not become formal OSH cases, either because they were outside of the OGC's jurisdiction or because the OGC was able to provide technical assistance to resolve the issue.
- ▶ As part of the OCWR's outreach and education mandate, and with the goal of increasing awareness and promoting compliance, in 2024 the OGC continued to expand its efforts to educate the legislative branch community regarding some of the safety and health topics that may affect covered employees. In February 2024, the OCWR's OSH Program Manager and OSH Data Analyst joined the OGC attorneys for a joint Brown Bag lunch presentation on *OSH Law, Inspections, and Investigations*, which included information about the legal framework of the OSH Act and standards as applied by the CAA, a discussion of significant OSH case law, an overview of the OCWR's biennial inspection process and case investigations, and an analysis



of the most common safety hazards in the legislative branch. Additionally, the OCWR's OSH professionals continue to create and update OCWR *Fast Facts* and other educational and resource documents, and to provide targeted training to covered employees through webinars and in the field during inspections.

REQUESTS FOR ADA INSPECTION AND CHARGES OF DISCRIMINATION

- ▶ The OGC did not receive any new charges of discrimination in 2024. The OGC continued to work to resolve open accessibility investigations.
- ▶ The OGC received several accessibility inquiries that did not become cases because they were outside of the OGC's jurisdiction or were not covered by the ADA as applied by the CAA, or because the OGC provided technical assistance to resolve the issue.
- ▶ In 2024, the OGC continued to work with the AOC to increase accessibility in the OCWR office, including modifying one restroom to be fully accessible.

ACCESS TO PUBLIC SERVICES AND ACCOMMODATIONS

- ▶ In 2024, the OGC continued ADA inspections for the 118th Congress, focusing on wellness spaces and Senate Office Buildings. The OGC also inspected committee hearing rooms and the public areas of Members' offices for ADA access issues.
- ▶ During 2024, the OGC continued to monitor the removal of barriers identified during its previous ADA inspections.
- ▶ In 2024 the OGC issued the *ADA Biennial Inspection Report for the 117th Congress*, reporting on the

results of those inspections and progress in barrier removal.

FACILITATING ADA COMPLIANCE

- ▶ In keeping with the OCWR's mission of educating the legislative branch community on its rights and responsibilities under the CAA, in 2024 the OGC used educational materials, training, and technical consults to help employing offices understand how to comply with the ADA's public access provisions of the CAA.
- ▶ In 2024, the OGC continued to update and refine the materials on the OCWR website concerning ADA public access, to ensure that this information is presented in a clear and useful manner. In addition, the OGC issued a guidance document entitled "*Guidance on ADA Inspections: ADA Compliance and Inspection of Legislative Branch Facilities That Are Not Open to the General Public*," to clarify the CAA's application to such facilities and aid employing offices in increasing accessibility.
- ▶ The OGC also incorporated ADA public access and reasonable accommodation training throughout its 2024 Brown Bag Lunch series, which aims to educate legal counsel from the legislative branch on various statutes applied by the CAA to facilitate the employing offices' compliance with applicable laws. Two *Brown Bag Lunches* included recent ADA public access case law developments relevant to the legislative branch, and another included an update on OCWR's ADA rulemaking under the CAA.
- ▶ During 2024 the OGC continued to provide technical assistance to employing offices as they developed their own solutions to

improve accessibility, including consultation with the USCP regarding accessibility issues in the security checkpoint screening process for people with mobility devices, other medical devices, and other disabilities.

ADA RULEMAKING UNDER THE CAA

- ▶ Section 210(e) of the CAA requires that the OCWR Board, pursuant to section 304 of the CAA, issue regulations implementing section 210. Pursuant to this requirement, in 2023, the Board submitted the regulations it adopted in late 2022 to Congress for approval via a notice of adoption in the *Congressional Record*. Those regulations remained pending in 2024 as congressional approval is required for implementation.

ADMINISTRATIVE DISPUTE RESOLUTION (ADR)

- ▶ The OCWR administers an ADR program to address and resolve claims alleging violations of employee rights under the CAA.
- ▶ The OCWR Board of Directors acts as a reviewing body for claims from OCWR hearing officers that are appealed under the ADR program. In 2024, the Board issued one decision on a petition for review of a hearing officer decision. Final decisions of the Board are published on the OCWR website at ocwr.gov.
- ▶ The CAA mandates that the OCWR make regular assessments of the effectiveness of the claims process, including the timely resolution of claims, and submit semiannual reports on its assessments to its oversight committees. In compliance with these statutory and regulatory requirements, in 2024 the OCWR reviewed all ADR activities to assess the



effectiveness of the procedures under the CAA Reform Act, and timely reported to our oversight committees on the effectiveness of the claims process.

Strategic Goal 3: Foster productive collective bargaining relations in the legislative branch

LABOR-MANAGEMENT RELATIONS

▶ Section 220 of the CAA makes the Federal Service Labor-Management Relations Statute (FSLMRS) applicable to covered employees and employing offices within the legislative branch, which includes the right of employees to form, join, or assist any labor organization, or to refrain from any such activity. Section 220 mandates that the OCWR Board exercise the authority of the Federal Labor Relations Authority to process petitions filed by covered employees, employing offices, and labor organizations in the legislative branch. The Board's implementing regulations delegate the responsibility to process such petitions to the Executive Director. In FY 2024, three representation petitions were filed with the Office: a petition to amend a certification, a negotiability petition, and a petition to decertify an exclusive representative. OCWR has closed all three cases. Three representation petitions regarding House offices, one dating from 2022 and two from 2023, remain pending.

IMPASSE PETITION

▶ In 2023, the OCWR received a joint request from an employing office and a labor organization

that the Board of Directors resolve a collective bargaining impasse. After an investigation by the Executive Director's office, the Board referred the matter to a hearing officer to oversee the resolution of the parties' issues. In 2024, with the hearing officer's assistance, the parties reached an informal resolution of the issues and withdrew their petition.

INVESTIGATION AND PROSECUTION OF UNFAIR LABOR PRACTICES (ULPs)

- ▶ Section 220 of the CAA (2 U.S.C. § 1351) applies the FSLMRS to certain employees and employing offices of the legislative branch and prohibits ULPs by both employing offices and labor organizations. The CAA protects the rights of certain employees to form, join, or assist a labor organization without fear of penalty or reprisal, and protects those who choose not to join or participate in a labor organization.
- ▶ All ULP complaints filed by the OCWR's General Counsel are adjudicated by an OCWR hearing officer and may be appealed to the OCWR Board of Directors. A decision by the Board may be appealed to the U.S. Court of Appeals for the Federal Circuit. The OCWR Board is represented by the General Counsel before the Federal Circuit.
- ▶ Ten ULP charges were filed with the OCWR in 2024. The allegations in those charges included failure to bargain in good faith, retaliation for union activity, and failure to respond to an information request. The OGC closed eight of those cases in 2024, along with three other ULP cases that had been filed in previous years.

▶ In *United States Capitol Police v. Office of Congressional Workplace Rights*, 110 F.4th 1265 (Fed. Cir. 2024), the U.S. Court of Appeals for the Federal Circuit reversed and remanded the decision of the OCWR Board in a case involving allegations of ULPs related to the USCP's suspension of the entire collective bargaining agreement with the Fraternal Order of Police during the COVID-19 pandemic. After the remand, the OCWR Board remanded the case to the hearing officer, and the case was eventually settled and closed.

ULP CHARGES FILED IN 2024

Retaliation for protected activity	2
Violation of collective bargaining agreement/failure to bargain in good faith	6
Failure to respond to information request	2

Eight of the ten ULP charges filed in 2024 were resolved within one year of filing. Two charges remain open.

LABOR-MANAGEMENT OUTREACH

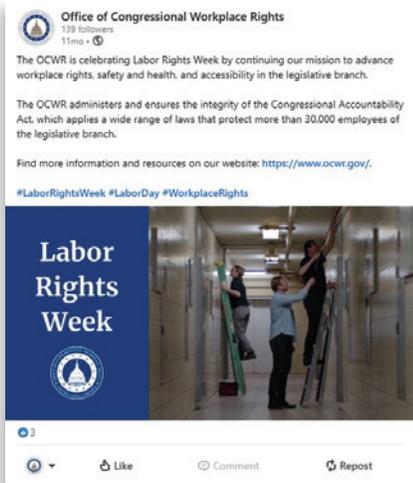
▶ The OGC conducted three Union Forums in 2024 for union representatives in the legislative branch and their attorneys, and two equivalent Management Forums for in-house counsel and other management representatives of legislative branch employing offices. The two forums that were presented for both unions and management covered *Union Access to Meetings: Investigatory Interviews and Formal Discussions and Confidentiality in Unfair Labor Practice Cases*. The third union forum discussed *CAA Statutory, Regulatory, and Case Law Updates* and



- ▶ Qualifying staff received Length of Service Awards in recognition of their dedication to public service and acknowledgment of their federal careers.

Strategic Goal 5: Maximize use of evolving technologies and social media to advance OCWR goals and maintain security

- ▶ In 2024, OCWR's web-based e-filing system, along with other key applications, continued to effectively avert security threats and enhance fault tolerance to allow OCWR systems to continue to operate in the event of a failure, while providing critical services. OCWR also revised the Administrative Dispute Resolution Claim Form to better guide claimants through the ADR process.



covered substantially the same information that had been presented to employing office attorneys in one of the OGC's Brown Bag Lunch sessions earlier in the year.

- ▶ All Labor-Management Forum materials for 2024 were remediated and published on the OCWR website after the live presentations concluded. These forum materials, along with general information about labor-management rights in the legislative branch, were shared across the OCWR's social media channels.

Strategic Goal 4: Optimize OCWR performance by developing and maintaining a highly motivated, talented, and satisfied workforce

- ▶ The year 2024 saw the establishment of a dedicated Information Technology Specialist FTE position to ensure continued security and effectiveness of internal and external Office operations.

- ▶ The OCWR continued its social media practice of posting twice per week on *LinkedIn*, *Instagram*, and *Threads* in 2024. Social media posts fall into one of six categories: General Information, Event Promotion, Announcement, Hiring Announcement, Holiday, and Staff Highlight. These posts promote adherence to the CAA and provide awareness of the work of the OCWR, including new training sessions and educational materials.

- ▶ Additionally, in 2024 the OCWR utilized *e-Alerts*, an online information campaign platform, to deliver 12 notifications promoting the quarterly *e-Newsletter*, training sessions, resources, and other important statutory and regulatory updates to a combined total of 6,626 recipients across the country.

▶ The OCWR continued to upgrade and utilize enhanced technology to advance its training and outreach goals. Through expanded use of online training modules, video-conferencing, and social media outlets, the Office timely and effectively provided critical workplace information to legislative branch staff working in offices located throughout the country. The OCWR was able to share important information with the covered community through its *Brown Bag* online presentations that provided important legal updates and analyses on matters covered by or related to the

administration of the provisions of the CAA.

- ▶ In 2024, the OCWR tracked social media analytics regularly to record its success in engaging stakeholders across these platforms. Over the course of the year, the OCWR reached over 7,000 people across *LinkedIn*, *Instagram*, and *Threads*. Over this period, the OCWR's *LinkedIn* page increased its audience by 43%, increased its *Instagram* audience by 9%, and increased its *Threads* audience by 22%.
- ▶ The OCWR continued to focus on the security and sustainability of its IT infrastructure in 2024.

Utilizing National Institute of Standards and Technology (NIST) guidance, the Office continued to ensure compliance with required security controls in NIST Special Publication 800-53, Security and Privacy Controls for Information Systems and Organizations.

- ▶ In 2024, the OCWR remediated 36 documents for section 508 compliance in-house and published them to the website by the end of the year. Social media posts were also tailored to meet section 508 accessibility standards.
- ▶ The OCWR remains focused on ensuring that its IT infrastructure and critical data remain fully secure.



Abbreviations Used in this Report

ADA	Americans with Disabilities Act	LMS	Learning Management System
ADEA	Age Discrimination in Employment Act	NIST	National Institute of Standards and Technology
ADR	Administrative Dispute Resolution	OCWR	Office of Congressional Workplace Rights
CAA	Congressional Accountability Act	OGC	Office of the General Counsel
FCA	Fair Chance to Compete for Jobs Act	OSH	Occupational Safety and Health
FLSA	Fair Labor Standards Act	PWFA	Pregnant Workers Fairness Act
FMLA	Family and Medical Leave Act	ULP	Unfair Labor Practice
FSLMRS	Federal Service Labor-Management Relations Statute	USERRA	Uniformed Services Employment and Reemployment Rights Act
FTE	Full-time Equivalent	VEOA	Veterans Employment Opportunity Act
GAO	Government Accountability Office	WARN	Worker Adjustment and Retraining Notification
IT	Information Technology		



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