

(c) Effective date

This section shall apply with respect to the semiannual periods of October 1 through March 31 and April 1 through September 30 of each fiscal year, beginning with fiscal year 2014.

(Pub. L. 113–76, div. I, title I, §1102, Jan. 17, 2014, 128 Stat. 425.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Legislative Branch Appropriations Act, 2014, and also as part of the Consolidated Appropriations Act, 2014, and not as part of the Congressional Accountability Act of 1995 which comprises this chapter.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Office of Compliance changed, as of Dec. 21, 2018, and considered to refer and apply, to the Office of Congressional Workplace Rights, see section 308(d) of Pub. L. 115–397, set out as an Effective Date of 2018 Amendment note under section 1381 of this title.

§ 1388. Workplace climate surveys of employing offices**(a) Requirement to conduct secure surveys**

Not later than 1 year after December 21, 2018, and every 2 years thereafter, the Office shall conduct a secure survey of employing offices under this chapter regarding the workplace environment of such offices. Employee responses to the survey shall be voluntary.

(b) Special inclusion of information on sexual harassment

In each survey conducted under this section, the Office shall survey respondents on attitudes regarding sexual harassment.

(c) Methodology**(1) In general**

The Office shall conduct each survey under this section in accordance with methodologies established by the Office.

(2) Confidentiality

Under the methodologies established under paragraph (1), all responses to all portions of the survey shall be anonymous and confidential, and each respondent shall be told throughout the survey that all responses shall be anonymous and confidential.

(3) Survey form

The Office shall limit the use of any information code or information on the survey form that makes a respondent to the survey, or the respondent's employing office, individually identifiable.

(d) Use of results of surveys

The Office shall furnish the information obtained from the surveys conducted under this section to the Committee on House Administration of the House of Representatives and the Committees on Homeland Security and Governmental Affairs and Rules and Administration of the Senate.

(e) Consultation with committees

The Office shall carry out this section, including establishment of methodologies and proce-

dures under subsection (c), in consultation with the Committee on House Administration of the House of Representatives and the Committees on Homeland Security and Governmental Affairs and Rules and Administration of the Senate.

(Pub. L. 104–1, title III, §307, as added Pub. L. 115–397, title II, §202(a), Dec. 21, 2018, 132 Stat. 5317.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this Act”, meaning Pub. L. 104–1, Jan. 23, 1995, 109 Stat. 3, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1301 of this title and Tables.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective upon expiration of the 180-day period beginning on Dec. 21, 2018, with provisions for effect on pending proceedings, see section 401 of Pub. L. 115–397, set out as an Effective Date of 2018 Amendment note under section 1301 of this title.

SUBCHAPTER IV—ADMINISTRATIVE AND JUDICIAL DISPUTE-RESOLUTION PROCEDURES

§ 1401. Procedure for consideration of alleged violations**(a) Filing and review of claims**

Except as otherwise provided, the procedure for consideration of an alleged violation of part A of subchapter II consists of—

(1) the filing of a claim by the covered employee alleging the violation, as provided in section 1402 of this title;

(2) the preliminary review of the claim, to be conducted by a hearing officer as provided in section 1402a of this title;

(3) mediation as provided in section 1403 of this title, if requested and agreed to by the parties under that section; and

(4) a formal hearing as provided in section 1405 of this title, subject to Board review as provided in section 1406 of this title and judicial review in the United States Court of Appeals for the Federal Circuit as provided in section 1407 of this title.

(b) Right of employee to file civil action**(1) Civil action**

Only a covered employee who has filed a claim timely as provided in section 1402 of this title and who has not submitted a request for a hearing on the claim pursuant to section 1405(a) of this title may, during the period described in paragraph (3), file a civil action in a District Court of the United States with respect to the violation alleged in the claim, as provided in section 1408 of this title.

(2) Effect of filing civil action

Notwithstanding paragraph (2), (3), or (4) of subsection (a), if the covered employee files such a civil action—

(A) the preliminary review of the claim by the hearing officer as provided in section