

LCTCS HARASSMENT COMPLAINT INVESTIGATION FORM  
SOWELA TECHNICAL COMMUNITY COLLEGE

**Investigator:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Complainant:** \_\_\_\_\_ **Location/Dept:** \_\_\_\_\_

- Take the complaint seriously and inform Director of Human Resources
- Make arrangements to conduct investigation immediately – don't delay. **Assure that the complainant is comfortable with the person(s) assigned to conduct the investigation.**
- Determine appropriate person to conduct the investigation.
- Have a witness during the investigation.
- Document the facts each step of the investigation beginning with initial complaint.
- Maintain the confidentiality of the investigation – limit to those involved and those with a need to know.

**1. Interview the complainant:** Explore the allegations thoroughly

- ⌚ Who was the alleged harasser?
  
- ⌚ What is your relationship with the accused (i.e. subordinate, co-worker, personal friend)?
  
- ⌚ What exactly happened/nature of the harassment (comments, touching)?
  
- ⌚ When and where did the incident(s) occur? Be specific: dates & times.
  
- ⌚ Was the incident limited to one instance or was it continuing in nature? Explain.
  
- ⌚ How did you react to the incident(s)?
  
- ⌚ What did you tell the alleged harasser?
  
- ⌚ Can any witnesses be identified (I may need to speak to them)?
  
- ⌚ Is there any other evidence of the incident occurring?
  
- ⌚ Are you aware of any other employees that may have experienced the same or similar...?
  
- ⌚ Why the delay in reporting the incident (if not immediate)?
  
- ⌚ Are you aware of the system's harassment policy (provide a copy)
  
- ⌚ Was there a specific reason for the harassment, i.e. intimidation, retaliation, or attraction?
  
- ⌚ How were you and your work affected by this?
  
- ⌚ Did you discuss the incident with anyone else?

⌚ What is your desired result?

⌚ Offer Employee Assistance Program assistance at this time, if appropriate.

- Express a genuine concern and assure the employee that you will take the complaint seriously.
- Inform him/her that retaliation will not be tolerated, and that you will follow up after the investigation.
- Instruct him/her to keep the incident & contents of discussion confidential as to not impede the investigation.

## **2. Interview the Alleged Harasser:**

- Determine if any past problems in this or other areas.
- Inform the accused/alleged harasser of the claim (as specific as necessary) and afford an opportunity to respond to the allegations.
- Listen and document carefully.

⌚ Are you aware of the system's harassment policy? (give a copy)

⌚ Are there any witnesses to substantiate his/her position?

⌚ What is your relationship with the complainant?

- Communicate **NO** tolerance of retaliation, i.e. mistreatment of the complainant
- Be sensitive, yet firm
- Let him/her know how you intend to proceed and that confidentiality will be maintained to the extent possible, keeping the investigation on a need to know basis.
- Instruct him/her to keep the incident & contents of discussion confidential as to not impede the investigation.

## **3. Resolve the complaint**

⌚ Interview witnesses (consider whether to interview before or after the alleged harasser).

⌚ Was policy violated?

⌚ Was conduct of a sexual nature? Was the sexual conduct unwelcome?

⌚ Was harassment *quid pro quo* or *hostile work environment*?

⌚ Was the complainant a participant?

⌚ What is the emotional character of the complainant? Should EAP assistance be offered?

⌚ What is the accused/alleged harasser's emotional character?

⌚ How does the complainant want it handled?

**4. Follow up:**

- ⌚ With the complainant, accused/alleged harasser, witnesses, or anyone else who has an ***absolute need to know***.
- ⌚ Apply appropriate disciplinary action.

FAILURE TO INVESTIGATE PROMPTLY AND TAKE PROMPT REMEDIAL  
ACTION MAY SUBJECT EMPLOYER TO LIABILITY