



How To Investigate Complaints of Harassment And Discrimination

You Received a Complaint...Now What?

Investigate harassment, discrimination, retaliation, safety and certain other types of complaints.

10 Common Investigation Mistakes

- Failing to plan.
- Ignoring complaints.
- Delaying investigations.
- Losing objectivity.
- Being distracted during interviews.
- Using overly aggressive interview tactics.
- Not conducting a thorough investigation.
- Failing to reach a conclusion.
- Failing to create a written report.
- Failing to follow up with those involved.

Make a Plan

Good investigators will first create a plan that answers these questions:

- Who will investigate?
- What will be investigated?
- What evidence needs to be collected?
- Who will be interviewed?



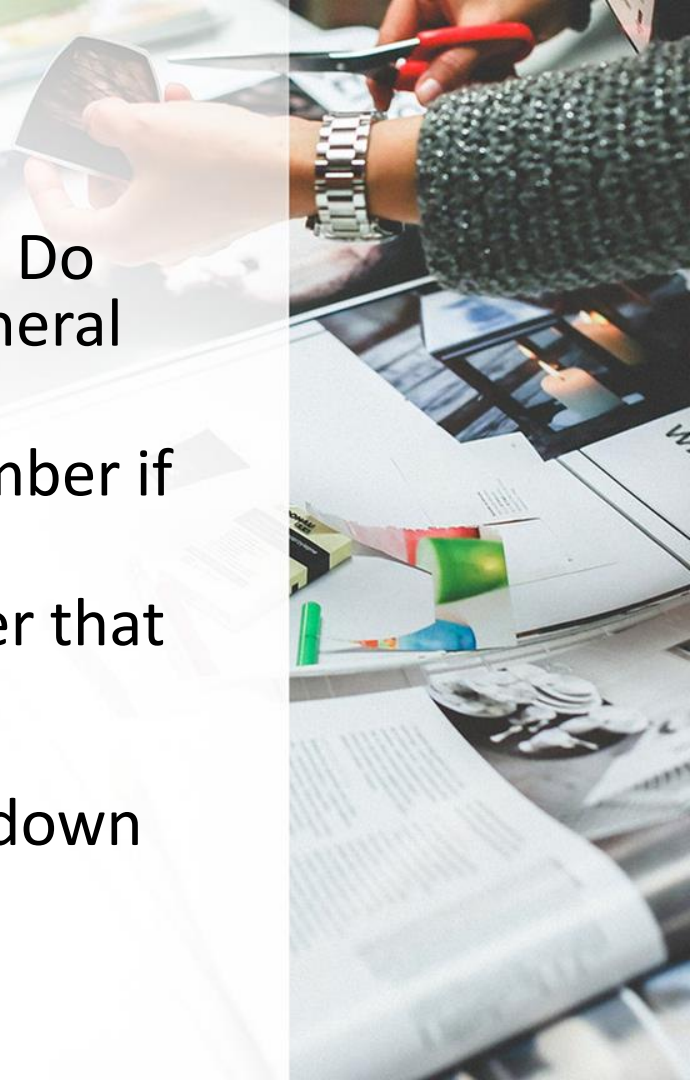
A hand holding a black Sharpie marker is positioned over a document. A blue highlighter is also visible on the document. The background is a solid orange color.

Be Objective

- Don't form an opinion till the investigation is complete.
- Don't pass judgment or form an opinion based on personal feeling or prior dealings.
- Never make assumptions unless you have facts and data to back it up.
- Be alert to any potential conflicts of interest. (i.e. personal relationship with either party.)

Maintain Confidentiality

- Protect the integrity of the process. Do not discuss in Social Quarters or General Meeting.
- Never share information with a member if he or she wasn't directly involved.
- Don't promise an employee/member that his or her complaint will remain confidential, because it might be necessary to share the information down the road.





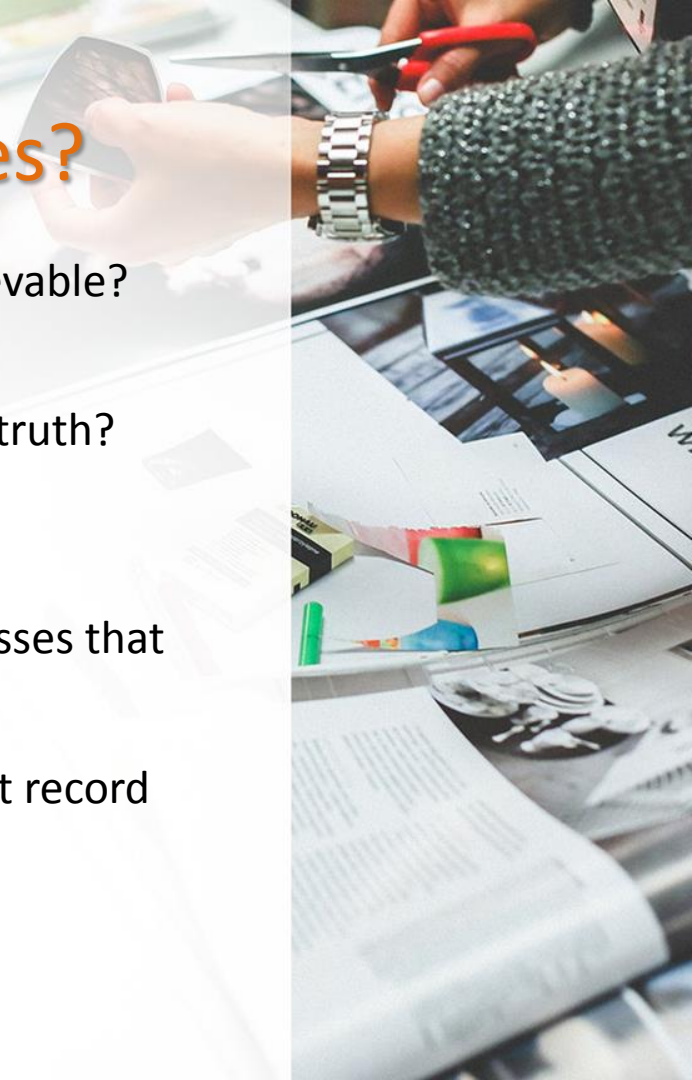
The Investigative Report

Every report should include:

- The incident being investigated, with dates.
- The individuals involved.
- Key factual findings and credibility determinations.
- Applicable employer/lodge policies or guidelines.
- Summaries of witness statements.
- Specific conclusions.
- Issues that couldn't be resolved.
- Board actions taken.

How Credible Are The Witnesses?

- **Plausibility.** Is the witness's version of the facts believable? Does it make sense?
- **Demeanor.** Does the witness seem to be telling the truth?
- **Motive.** Does the person have a reason to lie?
- **Corroboration.** Are there documents or other witnesses that support the witness's version of events?
- **Past record.** Does the alleged wrongdoer have a past record of inappropriate conduct?





Avoid Aggressive Tactics

Ask straightforward questions to get straightforward answers, and always be respectful.

Deliver fairness & respect.

Do not conduct interviews in the public's view or earshot.

He Said...She Said

- Gather physical evidence that might validate the complaint prior to interviewing witnesses.
- Plan the order in which the interviews will be conducted.
- Plan questions in advance and use open-ended questions to draw information out of the witnesses.



A hand holding a black Sharpie marker is positioned over a document. The document features a photograph of a person's face and some text. A blue folder is partially visible in the background. The scene is set against a white background with a blue and orange gradient at the top.

Quick and Thorough

- Time is of the essence.
- Stretching an investigation out over a lengthy period tells the complainant that the alleged misconduct isn't important.
- More difficult to collect evidence and get witnesses to talk. Details are forgotten. Documents disappear. Bad behavior continues.
- Focus on the witness/person being interviewed.

Reach a Conclusion

- Document factual findings in a written report.
- Weigh the evidence and determine whether lodge policy was violated.
- Finalize the investigation in writing.



A hand holding a black Sharpie marker is positioned over a document. A blue highlighter is also visible on the document. The background is a solid orange color.

Follow Up

- Submit the findings to the board, who will determine what disciplinary action to take. The Board of Officers should be able to determine how people in similar situations have been disciplined.
- Notify the employee/or member who made the complaint that action was taken—even if details can't be shared for privacy reasons.
- Appeals should be decided with reference to the applicable statutes, by-laws and based on all the evidence in the record.
- Reintegrate the employees/or members involved back into the lodge, shifting focus from the complaint to the changes the investigation has brought about.
- Remind managers that retaliation won't be tolerated, and check back within six months to ensure that there has been none.
- Review the investigation to determine what could be done better the next time.
- Look for patterns in complaints that might suggest more training is needed to avoid similar problems in the future.

Prevent Sexual Harassment, Discrimination and Retaliation Complaints.

Cultivate a Respectful Environment for your employees, members and guests.

