

Harassment Prevention Checklist Reporting Systems & Investigations

Holistic harassment prevention efforts include systems that allow employees to file reports of harassment they have experience or observed, and well-documented processes for undertaking investigations. Use the following checklist to assess your reporting and investigation functions, checking the box where your efforts contain the following elements:

- A fully resourced reporting process that allows the organization to respond promptly and thoroughly to reports of harassment that have been experienced or observed
- Employer representatives who take reports seriously
- A supportive environment where individuals feel safe to report harassing behavior to management (supported by climate survey data, where possible)
- Well-trained, objective and neutral investigators who have the time to devote to the investigation process (consideration should be given to annual investigation training)
- Timely responses and investigations, with metric-based accountability for timeliness
- Investigators who document all steps taken from the point of first contact and who prepare a written report using guidelines to weigh credibility
- An investigation that protects the privacy of individuals who file complaints or reports, individuals who provide information during the investigation, and the person(s) alleged to have engaged in harassment, to the greatest extent possible
- Mechanisms to determine whether individuals who file reports or provide information during an investigation experience retribution, and authority to impose sanctions on those who engage in retaliation
- During the pendency of an investigation, systems to ensure individuals alleged to have engaged in harassment are not “presumed guilty” and are not “punished” unless and until a complete investigation determines that harassment has occurred
- A communication of the determination of the investigation to all parties and, where appropriate, a communication of the sanction imposed if harassment was found to have occurred
- Periodic audits of past investigations to assess whether the organization has timely conducted investigations with sufficient documentation, and to analyze the proportionality of discipline in response to confirmed instances of harassment
- Periodic analysis of reporting data to detect trends in the organization’s climate for harassment and other complaints, as a basis for updating training programs and policy statements

This checklist is meant to be a useful tool in the evaluation of existing programs designed to prevent harassment in the workplace, and the responses to harassment when it occurs. It is not meant to convey legal advice or set forth requirements relating to harassment. “Checking All the Boxes” does not mean that an employer is in compliance; nor does the failure to check any one box mean that an employer is not in compliance.