

Handling Harassment Complaints

If someone at work has made a harassment complaint, follow the tips from Bernardi Human Resource Law LLP,³⁰ to know what actions to take:

HUMAN RESOURCE LAW TIPS

- 01 / Complaints must be taken seriously and acted upon promptly.
- 02 / The investigator should be independent, objective, and neutral.
- 03 / The investigator should not be in a position of authority over any of the parties to the complaint.
- 04 / The findings should be reported to someone with sufficient authority to enforce them.
- 05 / Investigators must be knowledgeable about the law, the organization's policy and complaint procedure, and understand the methods for conducting investigations.
- 06 / The parties to an investigation should have the right to representation, such as a union steward or legal counsel.
- 07 / The investigator should make and keep written notes of the investigation and any report that is prepared.
- 08 / Investigators should take steps to protect confidentiality to the extent possible. Information should only be shared on a need-to-know basis.
- 09 / The investigation must be "impartial, timely, fair, and address all relevant issues."
- 10 / The investigation report should summarize the allegations, what steps were taken during the investigation and the evidence gathered. The report should also contain findings on each allegation.
- 11 / Investigations should commence as quickly as possible and finish in a timely fashion. The Human Rights Commission suggests a time frame of 90 days.

³⁰ Bernardi, Lauren M. Investigating Harassment Complaints: Ten costly employer mistakes. Bernardi Human Resource Law, May 2011. Print.