

## Harassment Investigation Checklist

Workplace harassment investigations should be conducted promptly, consistently and with care. A structured approach not only ensures compliance but also protects everyone involved and helps maintain trust within the organization.

This checklist will guide your investigation from the moment a complaint is received through follow-up after the case is closed.

- Respond quickly:** Acknowledge the complaint and begin addressing it within 24–48 hours
- Clarify the nature of the complaint:** Determine whether the behavior involves a protected characteristic, such as race, gender, religion or age
- Take immediate action when necessary:** If the allegations are severe, harassment is ongoing or the complainant feels intimidated, act immediately to ensure safety
- Involve legal counsel as needed:** Contact legal if criminal behavior is alleged
- Select an investigator:** Choose a trained, impartial and credible individual
- Address potential bias:** Identify and manage any real or perceived conflicts of interest
- Consider an external investigator:** This can be appropriate for senior-level allegations, sensitive cases or situations where internal bias may be a concern
- Plan the investigation:** Your starting point depends on how you learned about the issue
  - If a formal complaint exists, begin there
- Collect relevant materials that you'll lean on throughout the investigation,** such as:
  - Company harassment policy
  - Personnel files for both the complainant and alleged harasser
  - Evidence of harassment, including emails, messages, images or notes
  - Performance evaluations if adverse job actions are alleged
  - Attendance records
  - Physical evidence, such as objects or photos related to the incident
- Conduct interviews:**
  - Explain the investigation process to each participant
  - Provide a written copy of the company's anti-retaliation policy
  - Ask consistent, factual questions to witnesses to avoid influencing responses
  - Emphasize fact-finding to non-witnesses, not judgment

- Avoid leading questions and remain impartial — AI tools, like HR Acuity, can help tailor interview questions to the situation
  - End each interview by reminding participants about retaliation and encouraging them to share new information
  - Re-interview parties if new details arise
- ❑ **Gather additional evidence:** Collect any further company records, photos, messages or other documentation related to the alleged harassment
- ❑ **Evaluate the findings:** Focus on:
  - Corroboration: Are accounts consistent?
  - Motive: Could someone have a reason to lie or exaggerate?
- ❑ **Take action if harassment is confirmed:** Stop the behavior, prevent recurrence and restore the affected employee to the position they would have been in if the harassment had not occurred. In some cases legal action may be necessary
- ❑ **Document the investigation:** Maintain thorough, clear and defensible records
- ❑ **Follow up after closure:** Check in with involved parties to confirm the resolution is effective, ensure no retaliation has occurred and see if further support is needed