



Featured Topic: Harassment Prevention

The Equal Employment Opportunity Commission (EEOC) defines harassment as unwelcome conduct based on race, color, religion, sex, national origin, age, disability, or genetic information. No one can stop all harassment from happening, but employers should do everything in their power to prevent harassment and appropriately respond when it occurs.



If you receive a harassment complaint or have reason to believe harassment has taken place, you should conduct a prompt, thorough, fair, and well-documented investigation. The basic steps are as follows:

Select an interviewer. This person should be an impartial manager, company officer, or HR representative. Ideally, they have completed training on conducting a harassment investigation. They should approach the investigation process with a commitment to being fair and thorough. The investigation should be conducted as soon as possible after receiving the claim.

Conduct interviews and gather evidence. Speak with the employee who made the complaint (if known), the accused employee, and any witnesses named. The questions asked during the interviews should not lead an interviewee toward a particular response and should not be accusatory in nature. The questions should be unbiased, open-ended, and prepared in advance; don't be afraid to ask follow-up questions. Also think about any documents, emails, photographs, videos, etc., that might exist and assist you in coming to a fair conclusion in your investigation.

Make a decision and take action. Once the interviews are complete and all evidence is gathered, decide what the outcome is and document the conclusions and actions taken. If the company determines that the accused employee violated the harassment or other workplace policy, appropriate disciplinary measures should be taken. What qualifies

as *appropriate* will depend on the severity of the behavior. A summary of the findings should be placed in the accused employee's file and they should be reminded that any retaliation against their accuser or others is unacceptable.

Inform the employee who made the complaint. Alert the complaining employee—and others with a true need to know—about the conclusions reached in your investigation. While you don't need to share the specific disciplinary action taken (if any), the complaining employee should be assured that you took appropriate steps to address the current situation and prevent future harassment. Remind this employee that retaliation will not be tolerated and that they should let you know if they're experiencing any backlash because of their complaint.

You can learn about harassment prevention by reading our [Identifying and Preventing Workplace Harassment](#) guide and watching our [Unlawful Harassment Defined](#) video.

If you're interested in harassment training requirements in your area, our [State and Local Sexual Harassment Prevention Training Requirements](#) chart is a great place to start.

Need ready-to-use forms for a harassment investigation? We've [got you covered!](#)

We also recognize that employers sometimes have to investigate complaints that don't involve harassment. We have [a guide for those investigations](#) too!