



COUNTY *of* **VENTURA**

Workplace Investigation Standard Operating Procedures

Workplace Investigations Standard Operating Procedures

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Standard Operating Procedures for Workplace Investigations

In California, an employer has an affirmative duty to take reasonable steps to prevent and correct wrongful behavior in the workplace. As such, when the County receives a complaint alleging wrongful behavior, it must conduct an effective investigation to determine: (1) whether the allegations are true; and (2) if so, how to stop the wrongful behavior from continuing. An effective investigation requires our internal investigators to be timely, thorough, and independent (i.e., unbiased) in their investigations. This memorandum provides you with a step-by-step process for conducting an effective internal investigation and should serve as your framework in doing so.

I. Receiving the Complaint

When receiving a complaint, you should request that the complainant put the complaint in writing by filling out the Intake Form. If the complainant declines to fill out the Intake Form, or you receive the complaint from another source, you should fill out the Intake Form, include the date that you spoke with the complainant or received the complaint, and note that you filled it out on behalf of the complainant.

As soon as possible after receiving the complaint, you should assess whether any immediate, interim measures need to be taken to ensure that the complained-of situation does not get worse during the investigation. Interim measures can be particularly important when the complainant made serious allegations, such as a claim of physical harassment or workplace violence. Interim measures can include but are not limited to a paid leave of absence for the complainant and/or subject, or the temporary reassignment of positions should the complainant and subject be in either's chain of command or other working relationship. If implementing interim measures, please be mindful to avoid any adverse employment actions to limit any potential liability. Further, any interim measure should not cause the employee to suffer any substantial or material change in the terms and conditions of their employment. For a paid administrative leave of absence, the appointing authority must provide the employee with an Administrative Leave Order.

II. Preparing for the Investigation

After a complaint has been brought forward, an investigation into the complaint should be timely, thorough, and independent. In line with timeliness, the investigation should begin as promptly as possible. However, some initial questions must be answered before the investigation can begin:

1. Who Will Investigate the Complaint?

When deciding who will investigate the complaint, the central concern is to choose someone who has no actual or perceived conflict of interest. A conflict of interest can arise if the internal investigator was a witness to the complained-of conduct, has an interest in the outcome, has a professional or social relationship with the complainant or subject, or is a direct supervisor of the complainant or subject, etc. Even the appearance of a conflict of interest should cause the investigation to be assigned to someone else. Generally, someone with proper qualifications in the County Executive Office-Human Resources Division (CEO-HR) is an appropriate choice, as long as the complaint does not involve CEO-HR. If the allegations involve CEO-HR, consider having another department in the County investigate. However, if it is determined that nobody within the County is an appropriate choice or that the investigation should

not be handled by an internal investigator for another reason, then an outside investigator may be retained by the County.

In the case of an outside investigator being retained, you may be assigned as the outside investigator's liaison with the County. In this role, you will serve as the connection point between the investigator and the interviewees, helping to schedule interviews, and make any other necessary arrangements. You may also be asked to provide the investigator with any relevant or applicable County policies, or other documents. You should remain mindful to keep all communications with the investigator confidential. This involves keeping any conference room reservations or calendar entries for investigation interviews private so that other employees cannot see who is in the meeting. Correspondence with the investigator and interviewees should also be kept confidential and not saved to a public file.

2. What is The Scope of the Complaint?

The scope of the complaint defines the nature of the investigation and what issues need to be assessed. The scope is normally guided by County policies and the allegations within the complaint. While the scope should be as clearly defined as possible, it should not be defined so narrowly that relevant information might not be uncovered. Investigators should stay within the scope of the entire investigation, unless additional material information is revealed during the investigation that would require an expansion of the scope. Similarly, questions asked of interviewees during the investigation should remain tied to the scope.

The scope should be memorialized in a confidential internal memorandum (see Appendix IV). When an outside investigator is involved, the investigator may be involved in helping define the scope of the investigation.

III. Conducting the Investigation

1. Confidentiality

As mentioned above, you should remain mindful to keep all communications concerning the investigation as confidential as possible. Conference room reservations and calendar entries for investigation interviews should be kept private, or vague enough if visible, so that other employees do not inadvertently learn of the investigation and the allegations surrounding it. Correspondence with interviewees should also be kept confidential and not saved to a public file. Similarly, your notes on the investigation should be kept confidential and not saved to a public file. You should not discuss an open investigation with anyone, except as necessary.

If an interviewee asks you about the status of a pending investigation, you must respond that you cannot provide details on the status of the investigation in order to preserve the integrity of the investigation. However, you can provide them with a broad anticipated end date, if known. Further, complainants should be informed that all information will be treated confidentially. This means they will likely not be informed about the outcome of the investigation, including any remedial action.

2. Draft Investigation Plan

You should draft an investigation plan that memorializes your “road map” for the investigation. The plan should reiterate the scope of the investigation, include the anticipated order of interviews, list of any documents obtained (or still needed), and any other pertinent information.

While an investigation plan can be in writing, it is not required. For written investigation plans, please be mindful that anything kept in writing concerning the investigation (including emails, notes, documents, or written transcripts of interviews) can become discoverable if relevant litigation ensues following the litigation.

3. Obtain Documentary Support

Following the draft of your investigation plan, you must obtain any documents that will assist you in the investigation. Generally, the investigator should determine which documents will prove or disprove the claims alleged. The more carefully the investigator reviews the documents related to the complaint and the parties involved in **advance** of the interviews, the more effective the interviews will be. Documents can generally range from personnel files, internal memorandums, County policies and procedures, email communications or other computer data, or any other relevant evidence of the alleged conduct. For email communications, it is recommended that the investigator work with the Information Technology Services Department, rather than obtaining the emails directly from the witnesses and/or subject. This extra step ensures the authenticity of the email correspondence rather than any favorable modification.

4. Draft Notices of Investigation and Request for Interviews

To preserve the integrity of the investigation, the complainant(s), witnesses, and subject(s) should be notified of the investigation and the investigator's request to interview them in writing via a Notice of Confidential Administrative Investigation and Interview (Appendix III). While email correspondence is preferred for documentation purposes, the notices can be hand-delivered should the employee's role require such delivery. When providing the employee with notice of the investigation via Notice of Confidential Administrative Investigation and Interview, the investigator should ideally provide three dates and times when the investigator is available to interview the employee. Should the employee not respond or refuse to comply with the request within a reasonable time, the investigator should provide the employee with an order to cooperate, in writing, via an Order To Cooperate And Respond Re Confidential Administrative Investigation (Appendix II).

Generally, it is best practice to provide the complainant and witnesses with the Notice of Confidential Administrative Investigation and Interview first and provide the subject with the Notice of Confidential Administrative Investigation and Interview closer to the time of their interview. This practice is to ensure that the subject is not attempting to communicate with the complainant or witness or otherwise engaging in any retaliatory tactics.

5. Schedule of Interviews

Generally, the order of your interviews should be: (1) complainant, (2) witnesses, (3) subject. If the complaint was anonymous, you will need to review the complaint to determine the appropriate order of interviews. It is still advisable to talk to the witnesses before the subject to get more context first.

Although this is advised to be done sparingly, sometimes you may need to talk to an interviewee more than once. This is most common with the complainant, as new information will often be revealed during your interviews subsequent to the first interview with the complainant. The second interview with the complainant is an opportunity to ask different questions of the complainant or to clarify issues in light of the new information you gathered while talking to other witnesses and the subject.

6. Draft Interview Questions

Before your first interview (which is likely with the complainant, unless the complaint was anonymous), you should draft an outline of written questions to ask the complainant during your interview. You will revise and supplement these questions as appropriate for each witness and respondent.

Generally, questions asked during an interview should follow the framework of “who, what, when, where, why.” For example, for allegations related to a specific incident, the investigator might ask:

- Who was present during the incident?
- When did this incident occur? Where did the incident occur? What is your understanding as to why this incident occurred?
- What was said at the incident? What was said about the incident?
- What documents corroborate or relate to the incident?
- What other evidence exists related to the allegations concerning the incident?
- What other witnesses have knowledge of the allegations concerning the incident?

As a caveat, the questions prepared should only serve as an outline for the investigator. Clarifying questions are the heart of any investigation interview and the investigator should be prepared to ask questions outside of the outline depending on the responses from each witness.

7. Conducting Interviews

As mentioned above, you should go into each interview with an outline of written questions that you intend to ask the interviewee. While you should be mindful to cover the questions in your outline, you should also be open to other relevant information the interviewee may provide since you were not aware of everything the interviewee knew at the time you drafted your questions. That being said, if the interviewee talks about a subject that could not reasonably be relevant to the complaint, you should redirect the interviewee to the questions in your outline. If the interviewee asks for a list of questions before the interview or asks what questions will be asked, the investigator should generally decline to provide questions and let the interviewee know that they will be discussing allegations in a complaint the County received.

At the start of each interview, it is essential to establish rapport with the interviewee and ensure they feel comfortable. For example, if the interview is set in a conference room, the interviewee should be seated closest to the door to allow them the opportunity to leave at any time.

The investigator should also provide the interviewee with standard investigation admonitions in the beginning of the interview, during which you should:

- Explain the purpose of the interview and your role, provide a brief description of the allegations, and let the interviewee know whether they have been identified as the complainant, a witness, or a subject.
- Inform the interviewee that it is essential for them to tell you the truth and not withhold any relevant information, and that any employee who is later found to have misrepresented information or withheld relevant information during an investigation interview can be subjected to discipline, up to and including termination.
- You must also request that the employee maintain confidentiality of the nature of the investigation and substance of the interview. With that, also let the interviewee know that they are asked not to interfere with the investigation for the purpose of maintaining the integrity of the investigation.
- Explain that all parties involved in the investigation, including any complaining parties, responding parties, and witnesses, are protected against retaliation, and if any person feels that they are being subjected to retaliation for participating in the investigation, they should let the Director of HR know immediately. You should tell the interviewee that they also have a duty not to retaliate against anyone else for that person's participation in the investigation.
- You **may** also let the interviewee know that by nature of their employment, it is understood that they are ordered to be interviewed by you. Although we recommend refraining from hostile language such as "order" in order to maintain rapport with the witness to the best extent possible. Reminding the employee that they have been ordered to participate is best reserved if/when the employee is refusing to answer a specific question.

Below is an example of an introductory admonition for use during an interview:

"My name is [NAME] and I am conducting an administrative investigation related to allegations that have been raised to the County concerning an alleged [nature of conduct, i.e. claim of harassment, etc.]. You have been identified as a [complainant/witness/subject] in this investigation. Your cooperation here today will assist the County's efforts in investigating the allegations.

"I will remind you that as an employee of the County, you have an affirmative duty to make complete and truthful responses to my questions during the interview. Any failure to do so can serve as independent grounds for discipline, up to and including dismissal.

"At the conclusion of the interview, I will request that you maintain confidentiality of the nature of this investigation and substance of our interview. Further, you are asked not to interfere with the investigation for the purpose of maintaining the integrity of the investigation. Additionally, you will be asked not engage in any conduct that could be deemed retaliation against any other County employee or witness involved. Further, if you feel you are retaliated against, you are to immediately report that conduct directly to the Director of HR.

“Do you understand your responsibilities during this interview?”

Before the interviews, decide if you want the interviews to be documented via audio recording or by taking notes. Absent exigent circumstances, investigators are expected to record the interviews. If audio recording, you must inform the witness before you start recording that the interview will be audio recorded so you can obtain their consent to do so. If taking notes, you may take them in whatever manner you prefer (by hand or on a computer). Take time to go through your outline of questions to ensure you have asked everything.

At the conclusion of your interview, remind the interviewee of the continuing request to not discuss the nature of the investigation or the content of the interview with anyone. Also remind the interviewee that because the investigation is ongoing, they are not to do anything that may be construed as interference. Also, let the interviewee know they are not to engage in any conduct that could be deemed retaliation and if they feel they are being retaliated against for their participation in the investigation, to immediately report that conduct to the [Director of HR].

Below is an example of a closing admonition for use at the end of an interview:

“I would like to thank you for your cooperation and participation with this investigation. You are reminded of the continuing request that you not discuss the nature of this investigation or the content of our interview with anyone. Because this is an ongoing confidential investigation, we ask that you do nothing that may be construed as interfering with the investigation. You are also not to engage in any conduct that could be deemed retaliation. Similarly, if you feel you are retaliated against for your participation here today, please immediately report any such conduct directly to the Director of HR or to me.

“Do you have any questions about the information I just gave you? Thank you again for your time today.”

IV. Drafting the Investigation Report

Please refer to the Investigation Report Template (Appendix IV) for more information on report writing. Overall, the investigation report should be written in a completely neutral tone and be very detailed. The investigation report should not present your opinion, but only your factual findings (and policy analysis, if applicable). The report should provide a summary of each interview you conducted, and include a credibility assessment of each witness. The report should also provide your findings as to each allegation separately, and refer to facts that both support and do not support your findings, with an explanation as to why you gave more credit to the facts that support your findings. You should also take care to apply the preponderance of the evidence standard (i.e. more likely than not) and refer to any applicable policies (if you are making a policy analysis).

V. After the Investigation

1. Provide Closure Letters to Each Interviewee

At the conclusion of the investigation, you should provide a closure letter to each interviewee letting them know that the investigation has been closed (Appendix V). The closure letter to the subject(s)

should also briefly explain the result of the investigation, such as if any findings were sustained against the subject.

2. Save Your Investigation Files

After the investigation is closed, save all of your investigation-related files (including your investigation plan, interview outlines, interview notes, and any documents or evidence you received relating to the interview) in a private file that is not public to all employees and place a copy within the electronic labor module. Keep these files saved for at least five (5) years.

Appendix

I. Administrative Leave Order

DATE: Month Day, Year

TO: Employee Name, Job Title

C: Sevet Johnson, PsyD, County Executive Officer
J. Tabin Cosio, Interim Assistant County Executive Officer/Director of Human Resources

FROM: Appointing Authority Name, Job Title

SUBJECT: ADMINISTRATIVE LEAVE ORDER

This is to advise you that, effective immediately, you are hereby placed on administrative leave. You will continue to receive full benefits and pay during this time. This administrative leave will continue until officially revoked in writing. During this administrative leave, unless otherwise directed in writing, your employment responsibilities are immediately modified as follows:

1. While on administrative leave, you remain an employee of the County of Ventura. During business hours (Monday-Friday, 08:00 a.m. to 5:00 p.m.) you are to be within one hour of geographic proximity of the County Executive Office, located at 800 S. Victoria Ave., Ventura, California, 93009, in the event you are instructed to return to the workplace. You are entitled to an unpaid lunch from 12:00 to 1:00 p.m..
2. You are to be available by telephone Monday through Friday, excluding recognized Holidays, in order to receive and promptly respond to instructions from supervision/management. We understand the best number to reach you is [PHONE NUMBER]. If this is incorrect, you are to immediately call me at the number listed below to provide a telephone number at which you may be reached. You may request, and upon approval, use accrued leave time during this period of administrative leave, in which case you need not to be available as described above. Any request to use accrued leave time, or any other issues that impact your availability, shall be reported immediately to [JOB TITLE].
3. You are to immediately surrender all County-issued identification and badges, laptops, and mobile phones.
4. Until further notice, you are to have no access to, or contact with any of the County departments/agencies, their programs, clients, facilities, equipment, and/or personnel for any reason. However, this is not intended to impact your rights to contact union representatives or discuss terms and conditions of employment.
5. You are relieved of all duties as [JOB TITLE] for the County. You are not to perform any work associated with your duties/responsibilities as the [JOB TITLE], and you are not to in any way portray yourself as a representative of the County of Ventura while on administrative leave.
6. If you need to access a County facility and/or services (including parking areas), you are to directly contact me at (805) XXX-XXXX to request permission to do so, in advance. You may only access a County facility without prior permission in the event of a medical emergency for you or your immediate family.

Finally, you are advised that the instructions provided herein are to be considered direct orders, and any failure to fully comply with any of them will, at minimum, be considered to be an intentional and inexcusable neglect of duty, willful disobedience, insubordination, a failure of good behavior and both inimical to and incompatible with

the public service. As such, any failure will, in and of itself, be sufficient grounds for disciplinary action, including dismissal.

If you have any questions regarding these orders, contact me directly at [PHONE NUMBER] or by email at [EMAIL].

ACKNOWLEDGEMENT

I have read and understand the above orders and will comply with the directions it contains.

DATED: _____

By: _____
[Employee Signature]

II. Order to Cooperate and Respond Re Confidential Administrative Investigation

DATE: Month Day, Year

TO: Employee Name, Job Title

C: Sevet Johnson, PsyD, County Executive Officer
J. Tabin Cosio, Interim Assistant County Executive Officer/Director of Human Resources

FROM: Appointing Authority Name, Job Title

SUBJECT: ORDER TO COOPERATE AND RESPOND RE CONFIDENTIAL ADMINISTRATIVE INVESTIGATION

On [DATE], you were served with a Notice of Confidential Administrative Investigation and Request for Interview (the "Notice"), identifying you as a [SUBJECT, WITNESS]. The Notice further indicated that you were required to cooperate fully with the investigation.

In the email to you that accompanied the notice, you were provided with the following available dates for your interview: [LIST DATES OFFERED].

[or]

When the notice was hand delivered to you, we provided you with the following available dates for your interview: [LIST DATES OFFERED].

As the [POSITION TITLE], I am ordering you to appear for your interview as a subject on [DATE, TIME, LOCATION]. You are further ordered to cooperate with the investigation.

If there are any extenuating circumstances that prevent you from appearing for your interview on the date and time listed above, please do not hesitate to contact me.

We appreciate your cooperation in this matter.

III. Notice of Confidential Administrative Investigation and Request for Interview

DATE: Month Day, Year

TO: Witness Name, Job Title

FROM: Appointing Authority, Job Title

SUBJECT: Notice of Confidential Administrative Investigation and Request for Interview

[WITNESS ONLY] The County has received a complaint alleging inappropriate conduct relating to <Subject Name and Job Title>. You have been identified as a Witness in this investigation.

[SUBJECT ONLY] The County has received a complaint made against you alleging inappropriate conduct. You have been identified as a Subject in this Investigation.

Please be advised that the County has a duty under state and federal law to investigate these claims. <Investigator's Name and Job Title>, has been assigned to conduct the administrative investigation into the allegations of inappropriate conduct. The allegations made in the complaint are treated by the County seriously and on a confidential basis, to the extent permitted by law.

Consistent with its practice, the County has commenced a fair and impartial factfinding investigation into these allegations to determine whether they have merit. As part of this investigation, <Investigator's Name> would like to interview you. [As a Subject, you are entitled to a union representative who may be present during any interviews conducted during the investigation.] <INVESTIGATOR'S NAME> is entitled to ask you questions and to promptly receive your full, complete, and truthful responses, to the best of your abilities, during this interview. Any failure to follow the above directives given to you as part of this investigation or any untruthfulness or withholding of material fact during your interview will be considered, at a minimum, as evidence of inefficiency, insubordination, willful disobedience, failing in good behavior, and as both inimical to and incompatible with the public service, and may be considered as grounds for discipline, up to and including dismissal.

Please also be aware that investigations of this nature are confidential, to the extent permitted by law. We request that you not discuss this matter or process with anyone at this time (other than your legal representative, should you choose to consult with one). This request for confidentiality is intended to ensure an independent factual inquiry, to preserve the integrity of the process, and to protect employee privacy to the greatest extent possible. However, it does not restrict your ability in any way to discuss the terms and conditions of your employment with anyone.

Lastly, I will remind you that County Administrative Policy No. VIII (A)-15 (Whistleblower Policy) prohibits retaliation against a County employee for disclosing information the employee reasonably believes evidences wrongful conduct. The County further forbids retaliation against persons who participate in personnel investigations. Please contact me directly at XXX-XXX-XXXX if you believe you are being retaliated against for having participated in this investigation.

We appreciate your cooperation in this matter.

IV. Investigation Report Template

I. INTRODUCTION & SCOPE

This section should identify the investigator, the complainant(s), and the subject(s). It should also give a brief statement about the scope of the investigation, stating the allegations in general terms (e.g., "complaint of harassment" or "complaint of retaliation"). At a high level, the introduction should provide to the reader (1) what the complaint alleged and (2) what the Investigator is tasked with determining.

II. COMPLAINTS WITHIN THE SCOPE OF THE INVESTIGATION

This section should state the scope in detail and list each allegation made by the complainant. Each allegation should be numbered and phrased as a question (e.g., "Did Sally tell Bob that he would not be promoted in retaliation for her medical leave request?"). It is important to ensure detail and accuracy in this section because later in the report your findings will tie back to the organization of this section.

III. INVESTIGATION PROCESS

This section should: (1) list the administrative interviews conducted by listing individual's names, job titles, date of interview and whether they were complainant, respondent or witness; and (2) list of all relevant documents reviewed as part to the investigation including but not limited to: administrative policies, administrative procedures, emails, video, audio files, etc.

IV. SUMMARY OF WITNESS TESTIMONY AND ANALYSIS OF WITNESS CREDIBILITY

Generally, witness summaries should provide a brief synopsis of the interviewee's employment with the County, and then provide a well-organized summary of their testimony. One approach to organizing these summaries is to write what the witness said in chronological order of the underlying events. Another approach is to go in order of the allegations as listed in the preceding section. If the Complainant made multiple allegations against different subjects, it often makes sense to have a subheading for the sets of allegations against each subject.

An essential aspect of the witness summary is the credibility finding. You must include a credibility finding for every witness, and provide support for your determination. Credibility factors that you may reference include corroboration, opportunity, and capacity to observe (i.e., whether the witness observed something first-hand or heard about it from someone else), consistent/inconsistent statements, past history (i.e., if the complainant has a history of filing malicious, unfounded complaints), plausibility (how reasonable an explanation is), bias, motive to lie, reputation for honesty or deceit, manner of responding to questions (direct or evasive), and demeanor.

V. STANDARD OF PROOF

All findings must be determined from a standard of proof. The standard of proof in investigations is by the "preponderance of the evidence." The preponderance of the evidence standard means that the complained of conduct more likely than not did or did not occur. Another way that commonly describes the preponderance of the evidence standard is "50.1%" or "50% plus a feather."

VI. CATEGORIZING & FACTUAL FINDINGS

When making factual and/or policy findings, the investigator's conclusions should determine whether the allegations are: (1) sustained; or (2) not sustained. Generally, sustaining an allegation means that the complained of conduct is true. Sustaining a violation of County policy means that the complained of conduct was inconsistent with the relevant policy.

Similarly, not sustaining an allegation means that there is insufficient evidence to either prove or disprove that the complained of conduct occurred and/or that the complained of conduct violated County policy.

As mentioned above, this section should list each factual allegation separately and correspond to the number by which it is listed earlier in the report. Under each factual allegation, you should provide a brief, but thorough explanation of your finding. This explanation should explain why certain facts supported the finding, why certain facts did not support the finding, and why you decided that the first group of facts were more persuasive than the second. You should clearly state whether each allegation is sustained, or not sustained.

VII. POLICY FINDINGS [if applicable]

This section applies if a policy finding is included in the scope of the complaint. If so, this section will include the allegations that include the policy violation. Your analysis will be structured in the same way as with the factual findings above, but will also reference the applicable policy and discuss why you found that the respondent did or did not violate the policy.

VIII. CONCLUSION

The conclusion is generally brief, with a one- or two-sentence summary of which allegations were sustained not sustained.

V. Complaint Closeout Memo to Complainant

DATE: Month Day, Year
TO: Complainant Name
FROM: Name and Job Title
SUBJECT: Administrative Investigation

This memorandum is to inform you that the County has completed its investigation into the complaint you made against <SUBJECT> regarding <brief summary of alleged wrongdoing>. Investigator <Name> conducted a comprehensive investigation in line with the County's commitment to maintaining a respectful and safe work environment.

Investigator <Name> collected and considered evidence, including your interview/statement, the interviews/statements of other parties involved, and pertinent documentation. [Investigator <Name> conducted a fair, impartial, and thorough investigation and provided us with the results of their investigation.] or [Investigator <Name> conducted a fair, impartial and thorough investigation and found that [brief summary of findings.]] The County has taken what it believes to be appropriate action in light of the investigative results.

Thank you for bringing forth your concerns and for your cooperation in the investigation. County Administrative Policy No. VIII (A)-15 (Whistleblower Policy) prohibits retaliation against a County employee for disclosing information the employee reasonably believes evidences wrongful conduct. The County further forbids retaliation against persons who participate in personnel investigations. Please contact me directly at XXX-XXX-XXXX if you believe you are being retaliated against for having participated in this investigation.

The matter is considered closed.

VI. Notice of Completion of Investigation to Subject

OFFICIAL LETTERHEAD

DATE: Month Day, Year

TO: Name
Address
City, State, Zip Code

FROM: Manager

SUBJECT: NOTICE OF COMPLETION OF INVESTIGATION

This memorandum is to inform you that the County has completed its investigation into the complaint against you regarding <brieF summary of alleged wrongdoing>. Investigator <Name> conducted a comprehensive investigation in line with the County's commitment to maintaining a respectful and safe work environment.

Investigator <Name> collected and considered evidence including your interview/statement, the interviews/statements of other parties involved, and pertinent documentation. Investigator <Name> conducted a fair, impartial, and thorough investigation and found that the allegations against you are NOT SUSTAINED [or brieF summary of findings].

Thank you for your cooperation in the investigation. County Administrative Policy No. VIII (A)-15 (Whistleblower Policy) prohibits retaliation against a County employee for disclosing information the employee reasonably believes evidences wrongful conduct. The County further forbids retaliation against persons who participate in personnel investigations. The County will preserve confidentiality of the investigation process, including those involved, to the extent possible.

The matter is considered closed.

c: TBD

VII. Intake Form



EMPLOYEE COMPLAINT FORM

SECTION 1 - CONTACT INFORMATION

Name: _____

Job Title & Dept/Agency: _____

Phone Number/Email: _____

SECTION 2 – COMPLETING FORM FOR ANOTHER PERSON

Are you completing this form on behalf of another individual? ☐ Yes ☐ No

[If you answered "no" to this question, please go to Section 3.]

If yes, please provide your name, contact information, and relationship of the person for whom you are filing the complaint:

Name: _____

Relationship to Complainant: _____

Phone Number/Email: _____

Please briefly explain why you are filling out this form on behalf of another individual:

Have you obtained the complainant's permission to complete this form on their behalf? ☐ Yes ☐ No

SECTION 3 - RESPONDENT INFORMATION

Who is the person(s) against whom you are filing a complaint? Please provide name(s), job titles, their department/agency, and contact information, if known:

SECTION 4 – DESCRIPTION OF THE COMPLAINT

Please describe the facts that are the basis of your complaint. Be as specific as possible and include exact or approximate dates. Please use additional sheets if necessary. If additional sheets are used, please sign, date and number each additional page.

SECTION 5 - WITNESS INFORMATION

Provide the name(s) and contact (including job title(s) and department/agency, if applicable) information for any potential witnesses, if known.

VERIFICATION

With my signature, I hereby certify that the above statements are true, accurate, and complete. You may attach any written materials, documents or other information that you think is relevant to your complaint.

Date: _____

Complainant Name: _____

Complainant Signature: _____

Note: A complaint also may be filed with the California Civil Rights Department (CRD) at 800-884-1684 or visiting <https://calcivilrights.ca.gov/contactus/> or the Equal Employment Opportunity Commission (EEOC) at 800-669-4000 or visiting <https://www.eeoc.gov/contact-eeoc/>. If you wish to pursue filing with these agencies, you should contact them directly to obtain further information about their processes and time limits.