

East Georgia State College Employee Handbook

Cooperation in Internal Investigations

Adopted by President's Cabinet 12/19/17

Revisions Adopted by President's Cabinet 4/25/18

An employee of East Georgia State College shall cooperate to the fullest extent possible in any internal investigation conducted by East Georgia State College and or the Board of Regents when directed to do so by persons who have been given investigative authority by the President of the institution. Failure to cooperate fully shall be grounds for adverse personnel action, including possible termination of employment.

Investigative Process

In conducting an internal investigation, EGSC will keep all complaints confidential to the extent possible and the investigator will notify only the appropriate administrators or individuals with a need to know. In addition to acting in the best interest of the college, the investigator must assure that the investigation provides for due process. Investigations will follow the general outline contained herein. Investigations are subject to the confidentiality provisions contained herein.

Once a complaint or allegation is received, the investigator should notify the accused as soon as practical. The time frame of the notification will vary depending on the necessity to gather and/or clarify facts prior to the accused being approached. Additionally, the notification could be delayed in order to protect everyone involved, evidence, etc.

The accused should be given an opportunity to present his/her position relating to the allegation(s). At times, it may be necessary for this to occur in more than one sitting.

The investigator should gather as many facts and other forms of evidence as will allow the investigator to make a reasonable conclusion regarding the allegation(s).

Certain complaints will be investigated according to the procedures outlined in the specific policy for the underlying complaint. Examples of specific complaints and the appropriate investigative procedures include:

Title IX complaints – Sexual Misconduct Policy

<http://www.ega.edu/policy/08-sexual-discrimination-harassment-and-misconduct-policy.pdf?102417>

Discrimination and Harassment complaints – Non-Discrimination and Anti-Harassment Policy

<http://www.ega.edu/policy/08-non-discrimination-and-anti-harassment-policy.pdf?0826161>

Employee Grievance complaints – Employee Grievance Policy

<http://www.ega.edu/policy/08-employee-grievance-policy.pdf?2102016>

Confidentiality

All persons to whom a complaint is made or who learn of a complaint as part of an internal investigation should do everything reasonably possible to keep the complaint confidential in order to preserve the integrity of the on-going investigation, to ensure fairness to all involved and to protect the privacy of employees who have brought complaints or are accused of misconduct. To protect the confidentiality of the investigation, it is recommended that employees not speak to anyone else about the investigation. EGSC's request for confidentiality is not meant or intended to curtail employee rights under the law to discuss work-related matters. Preserving confidentiality helps minimize retaliation against participants

and minimizes disruption in the workplace. Parties to the investigation may contact the lead investigator or Human Resources if there are any questions.

Nothing in this policy is to be construed as a guarantee of absolute confidentiality by EGSC. Disclosure of information learned through the complaint process and investigation will be limited to disclosures that are necessary for EGSC to fulfill its legal obligations to investigate and implement required prompt and corrective actions.