

Information for Complainants

We are neutral. OED is committed to providing a fair and unbiased review. Our investigations are focused on evidence. We do not represent any party.

We help Complainants find the right process. The University has processes that provide prompt and effective review of discrimination and harassment complaints. OED addresses some of these concerns directly. If OED is not best suited to address your concerns, OED will provide information to help you determine the appropriate office and contact for that office.

Support person. Complainants may bring a support person with them to any meetings with OED. The support person is not meant to serve as a representative for the Complainant. We request that Complainants please let us know in advance if they will do so.

Understanding the complaint. The first step OED takes in an investigation is to gather information about the complaint. This usually involves interviewing the Complainant and gathering all evidence the Complainant has, including documentation and names of witnesses, if any. Complainants are strongly encouraged to share all information they have regarding the matter.

Anonymity. Complainants frequently want to know if they can file complaints anonymously. Respondents are provided enough information about the allegations to allow them a fair opportunity to respond, and the level of detail necessary to do that varies depending on the circumstances surrounding the incident.

Interviewing the Respondent. After OED understands the nature and scope of the complaint, the Respondent is notified of the allegations and given a full and fair opportunity to respond. The Respondent is also asked to provide any documentation and to identify any witnesses relevant to the complaint. The Complainant is not present during the Respondent's interview and vice versa.

Gathering other evidence. OED will interview witnesses and review documentation that it believes is relevant to the situation. OED may also contact Complainant and Respondent with additional questions or to request additional information throughout the investigation.

Review. If OED determines it will produce a written investigation report, the Complainant and Respondent will be provided with a written summary of relevant documentation or other evidence reviewed by OED. To ensure accuracy, the Complainant and Respondent are given the opportunity to provide clarifying comments of the summary. OED reviews the comments submitted by the parties, if any, and determines whether the report should be modified. All comments from the parties are considered in reaching a determination of the matter.

Decision and follow up. If an investigation report is produced, Complainant and Respondent may receive a copy and it is submitted to relevant administrators for follow up. If OED determines that discrimination has occurred, the relevant administrators will, working with Human Resources, identify and take corrective action aimed at addressing the offending behavior. Because personnel matters are confidential, the Complainant may not be told the specific steps that are taken, but is asked to contact OED immediately if the behavior reoccurs.

Appeal Rights. The appropriate administrator(s) will review the OED findings, make a determination, and notify the complainant in writing. Within 15 workdays after receipt of that decision, complainants who are in staff nonexempt positions may pursue a grievance under UT Personnel Policy and Procedure 640, contained in the UT Policy and Procedures Manual, if they are not satisfied with the determination.

If the complainant is not satisfied with the determination and is not eligible to or has not elected to file a grievance, the complainant may appeal in writing within 15 workdays after receipt of the decision to the next higher administrative level. The decision on the appeal will be provided in writing to the complainant. Decisions by the chancellor/vice chancellor/vice president may be appealed to the president.

Retaliation. When an individual engages in an activity that is protected by the University's nondiscrimination and sexual harassment policies, the individual is protected from retaliation for opposing any discriminatory acts, and for participating in filing a charge, testifying, assisting, or being involved in any manner in an investigation. Protected activity also includes testifying or presenting evidence as part of an internal investigation conducted as a result of an allegation of discrimination or sexual harassment. The prohibitions against retaliation apply whether or not the original complaint is found to be valid. Any actions that may constitute retaliation should be reported to OED immediately.

More information. If you have any other questions about the investigation or investigation process, please do not hesitate to contact the staff member investigating your case at 931-393-7226.

Revised 12/7/12