



# Employee Matters

## What do I do if an employee claims that they are being sexually harassed?



- Have you completed and documented an interview with the employee making the complaint?
- Do you have any evidence that this might be the case?
- Do you have the ability to suspend the alleged harasser on full salary during an investigation under your Modern Award, if you think that this is required?
- Have you found sufficient evidence to investigate further?
- Have you asked the alleged employee to come to a meeting and to bring along a support person?
- Have you confirmed the allegation, suspension (if appropriate) and next steps to the alleged employee?
- Have you completed & documented a formal investigation, while protecting confidentiality?
- Have you put your findings to the alleged individual with their support person present?
- Did you ask them to respond to the allegations either immediately or in a reasonable time?
- Have you documented all conversations and asked the employee to sign as accurate?
- Did you find the case to be false 'on the balance of probability' and return the individual to normal duties?
- Did you find the case to be proven 'on the balance of probability' and have either disciplined or terminated the individual with or without notice?

If you have answered 'No' to any of these you are either in breach of your legal compliance or alternatively not following 'best practice' employee relations. You should seek further qualified advice.