Pursuant to the [*North Dakota Legislative Assembly Policy Against Workplace Harassment*](https://ndlegis.gov/sites/default/files/resource/68-2023/miscellaneous/23.9376.02000.pdf)*,* when the review panel receives a complaint of alleged workplace harassment from a contact person, the review panel may investigate the matter or refer the matter to an independent investigator unaffiliated with the legislative branch who has experience in conducting workplace harassment investigations. The review panel or the investigator shall complete the following investigation checklist as promptly and confidentially as practicable.

The checklist below pertains to the complaint filed by COMPLAINANT against ACCUSED on MONTH DAY, YEAR.

InVESTIGATION CHECKLIST

1. Document the date and time of receipt of the complaint.

* The complaint (attached) was received on MONTH DAY, YEAR at TIME.

1. Notify the Risk Management Division of the Office of Management and Budget

* The Director of the Risk Management Division of the Office of Management and Budget was notified of the complaint by email (attached) on MONTH DAY, YEAR.

1. Create a file for records arising from or related to the investigation and ensure access to the file is protected in accordance with the confidentiality provisions of the policy.

* A secure file was created on MONTH DAY, YEAR.

1. Develop an investigation plan including:
   1. An interview of the individual who made the complaint, including addressing procedures to protect the individual from any additional threatening actions or retaliation.
   * An email (attached) was sent to the complainant requesting an interview and directing the complainant to notify the contact person if the complaint believes he or she has been subjected to retaliation as a result of filing the complaint.
   * The complainant declined to be interviewed. **OR**
   * An interview with the complaint was held on MONTH DAY, YEAR.
   * Interview notes: ENTER PERTINENT INTERVIEW NOTES HERE
   1. An interview of the individual accused of workplace harassment after informing that individual the individual does not have to provide information or records involuntarily or sign any document involuntarily and informing the individual of necessary boundaries during the investigation.
   * An email (attached) was sent to the accused individual requesting an interview and informing the accused he or she is not required to provide information or records involuntarily or sign any document involuntarily and information the individual of the boundaries during the investigation.
   * The accused individual declined to be interviewed. **OR**
   * An interview with the accused individual was held on MONTH DAY, YEAR.
   * Interview notes: ENTER PERTINENT INTERVIEW NOTES HERE
   1. Interviews of any witnesses of the alleged workplace harassment.
   * An email (attached) was sent to NAME OF WITNESS requesting an interview related to the alleged workplace harassment.
   * NAME OF WITNESS declined to be interviewed. **OR**
   * An interview with NAME OF WITNESS was held on MONTH DAY, YEAR.
   * Interview notes: ENTER PERTINENT INTERVIEW NOTES HERE
   1. Interviews of coworkers or others reasonably believed to have relevant information.
   * An email (attached) was sent to NAME OF COWORKER OR OTHER WITNESS requesting an interview related to the alleged workplace harassment.
   * NAME OF COWORKER OR OTHER WITNESS declined to be interviewed. **OR**
   * An interview with NAME OF COWORKER OR OTHER WITNESS was held on MONTH DAY, YEAR.
   * Interview notes: ENTER PERTINENT INTERVIEW NOTES HERE
   1. Consideration of the circumstances surrounding the complaint.
   * The panel took the following circumstances into consideration: LIST OF CIRCUMSTANCES CONSIDERED
   1. Consideration of any written statements provided by witnesses, the individual accused of workplace harassment, or others with information the investigator deems relevant.
   * Written statements were considered. (attached)
   1. Consideration of any other records or circumstances the investigator deems relevant.
   * Additional records were considered. (attached)
   * Circumstances deemed relevant include: DESCRIBE ANY CIRCUMSTANCED DEEMED RELEVANT
2. Carry out the investigation plan, amending the plan as required by circumstances, and document each interview and other action taken under the plan.

* Additional actions taken under the plan include: DESCRIBE ANY ADDITIONAL ACTIONS TAKEN UNDER THE PLAN

1. Determine whether referral to a law enforcement agency is warranted.

* Referral to a law enforcement agency IS / IS NOT warranted.

1. Determine whether the policy was violated based on the evidentiary standards set forth in the policy.

* The policy WAS / WAS NOT violated.

1. Prepare findings of fact and recommendations for resolution, provide copies of the findings and recommendations to the individual who reported the alleged workplace harassment and the individual accused of the alleged workplace harassment, and have the individuals sign a document acknowledging receipt of the findings of fact and recommendations for resolution.

* Findings of fact and recommendations. (attached)
* A copy of the findings of fact and recommendations were sent to the complainant and the accused on MONTH DAY, YEAR.
* A signed verification of the receipt of the findings and recommendations was received from the complainant on MONTH DAY, YEAR. (attached)
* A signed verification of the receipt of the findings and recommendations was received from the accused on MONTH DAY, YEAR. (attached)

1. Inform the individual who reported the alleged workplace harassment and the individual accused of the alleged workplace harassment that each has an opportunity to submit written responses, and place any written responses received in the investigation file.

* The complainant was informed of the ability to submit a written response to the findings and recommendations on MONTH DAY, YEAR. A written response WAS / WAS NOT received. (attached)
* The accused was informed of the ability to submit a written response to the findings and recommendations on MONTH DAY, YEAR. A written response WAS / WAS NOT received. (attached)

1. If the policy was violated, inform the employer of the individual who violated the policy and notify the employer of the recommendations for resolutions, or, if the individual is a legislator, notify the Majority Leader and Minority Leader of the chamber in which the legislator serves, unless the individual who violated the policy is the Majority Leader or Minority Leader, in which case the Speaker of the House of Representatives or the President Pro Tempore of the Senate must be notified.

* The Majority Leader and Minority Leader of the accused legislator's chamber were notified on MONTH DAY, YEAR that the review panel determined the harassment policy was violated. **OR**
* The employer of the accused individual was notified on MONTH DAY, YEAR that the review panel determined the harassment policy was violated.

1. Place documentation of any disciplinary action taken by an employer or other entity as a result of the investigation in the investigation file.

* Documentation (attached) of disciplinary action taken by the accused's employer was placed in the file.

1. Document whether all checklist requirements were fulfilled.

* All checklist requirements have been completed.

1. If the investigator is an independent investigator, provide the review panel with the investigation file and a summary of the investigation, including the findings of fact and recommendations for resolution.