



Navigating employee questions about INVESTIGATIONS

A guide for managers

The following are **questions employees frequently ask about investigations**, with suggested responses for managers. If you need further guidance on how to answer employee questions, or navigating anything else in the Ethics and Compliance space, please contact the ICO at ucompliance@vcu.edu or (804) 828-2336.

Employee Question 1: *I called the VCU Helpline to report something, but I haven't heard whether anything is happening. (Or: It has been weeks/months since the ICO started the investigation. How long will this take?/When will I get some resolution?).*

Manager Answer 1: *Did you know that you can call or email the ICO for a status report? They can tell you whether an investigation has been opened and what stage it's in. They won't be able to provide you with any details of what's happening, since that's private information, but at least you'll know if someone's looking into it. You can call the ICO directly at (804) 828-2336, or you can reach them by email at ucompliance@vcu.edu.*

Employee Question 2: *When a friend of mine called the VCU Helpline there was an investigation and she and some of her teammates were interviewed by the ICO. Why hasn't that happened with the issue I reported?*

Manager Answer 2: Depending on the type of report that's made, the ICO might:

- Determine that an investigation should take place, and schedule some interviews.
- Investigate and find that the allegations were substantiated without needing to interview people.
- Determine that an investigation is not needed.

You can always contact the ICO for an update if you're concerned. You can call them directly at (804) 828-2336, or you can reach them by email at ucompliance@vcu.edu.

Employee Question 3: *Why wouldn't they investigate if I called to report something?*

Manager Answer 3: Sometimes employees report something that doesn't allege misconduct, or doesn't require fact-gathering. For example, someone might feel like they are being excluded by work colleagues. This would be more of an issue for the employee and their manager, with some possible support from Human Resources or the Ombudsperson.

Employee Question 4: I reported a supervisor for misconduct and the ICO investigated. Why is that person still working here?

Manager Answer 4: When the ICO investigates reported misconduct, they gather facts and interview people who may be able to shed light on the situation. The ICO's task is to determine whether the allegations were found to be substantiated (meaning there was enough evidence to demonstrate the allegations happened, more likely than not), OR that they were unsubstantiated (meaning the evidence did not demonstrate that the allegations occurred, more likely than not).

Sometimes the ICO will say that allegations were partially substantiated because there was evidence to support *some* - but not *all* - of the allegations. Or, they will conclude that substantiation of allegations was undetermined. This can happen when the investigation team conducts interviews and research but cannot make the determination as to whether or not an allegation was substantiated.

The ICO can't share the details of the outcome of the investigation because those details are private, but we can trust that they ran a top-notch investigation to determine substantiation, and if your allegations were substantiated or partially substantiated, the ICO likely recommended sanctions, or consequences, for the person you reported. Just because that person may still be employed here doesn't mean that they did not receive sanctions if allegations were substantiated.

EQ5: I called the VCU Helpline to report something and they opened an investigation, but today I got an email saying the investigation was closed. What does that mean?/How can they close it?/What happened?/The person I reported is still here and nothing's changed, so how can they close the investigation?/What was the point of my calling the Helpline at all?

Manager Answer 5: The ICO's case management system sends an automated email when the investigation has been closed, but it won't include any details. This is because details about investigations are private. The ICO typically calls the reporter, too, to let them know when an investigation has been closed. However, they won't be able to confirm whether they substantiated the allegations. We have to trust the process at this point, and know that if the ICO did determine that the allegations were substantiated they made recommendations for further action. At that point, it would be up to the manager of the person who was investigated to either accept, reject, or modify the recommendations and take the corresponding action.

Employee Question 6: Since I called the Helpline to report something/participated in an investigation, I feel like people have been treating me differently. Someone made a joke about following the rules around me, and my supervisor gave me a lower rating on my review than I think I deserved. **This feels like retaliation**, but what can I do about it?

Manager Answer 6: All of us at VCU support a speak-up culture; we want employees to feel safe speaking up. As part of that, VCU protects employees who do. If you feel like you're being treated differently as a result of something you reported, or because you participated in an investigation, the ICO needs to know. You can call them directly at (804) 828-2336, or you can reach them by email at ucompliance@vcu.edu. In your message, say that you need to speak to someone about retaliation you've been experiencing since initiating/participating in an investigation.