

SOMEONE HAS RAISED CONCERNS ABOUT ME TO CIVIL WHAT HAPPENS NEXT?

GUIDANCE FOR RESPONDENTS

This document provides guidance for those responding to allegations of harassment or inappropriate conduct in accordance with NIH Policy Manual Chapter 1311: Preventing and Addressing Harassment and Inappropriate Conduct.

What to Expect: Civil Process Overview

Civil's Role

Civil's role is to conduct a fact-finding review (also called an administrative inquiry) into allegations of harassment and inappropriate conduct by gathering statements and pertinent documentation from all involved individuals. We determine if NIH policy was violated (for more information, please view the related [Manual Chapter](#)) and share that information with the appropriate managers who determines next steps. For more information, please view the [Civil Process](#).

Respondents (individuals whose alleged behavior is the subject of an administrative inquiry) often ask about their due process rights. Due process rights are separate from fact-finding and are not applicable in this process. To learn more about due process for federal employees, please visit [MSPB Report on Due Process for Federal Civil Service Employees](#).

Report

Civil contacts the reporting party to discuss the facts surrounding the incident. If the reporting party chooses to remain anonymous, Civil will review the allegation to the greatest extent possible given the information available.

Initial Review

Civil Specialists review the initial documentation to determine if a more in-depth administrative inquiry is required. If they determine the matter would be more appropriately handled by a partner organization, Civil Specialists will refer the matter to the most appropriate resource(s). Those resources include, but are not limited to:

- [Division of Police](#) (if there is an immediate safety concern, call 911)
- [Employee and Labor Relations Branch](#)
- [Employee Assistance Program](#)
- Institute/Center/Office (ICO) Leadership
- [Office of Equity, Diversity, and Inclusion](#)
- [Office of Intramural Training and Education](#)
- [Office of Management Assessment](#)
- [Office of the Ombudsman](#)

Administrative Inquiry

For cases requiring further review, Civil will notify appropriate management officials and initiate an inquiry. The purpose of an inquiry is to ensure allegations are examined objectively and any inappropriate behavior is curtailed quickly through appropriate corrective action. Inquiries may take a variety of forms, but generally involve collecting and reviewing documentation. Some may also include interviews. They may be done internally by Civil or externally by a 3rd party contract investigator depending on size, scope, complexity, and potential impact.

Per the Roles and Responsibilities section of the [Manual Chapter 1311: Preventing and Addressing Harassment and Inappropriate Conduct](#), all staff are expected to cooperate fully in administrative inquiries of allegations of harassment and inappropriate conduct and to respect the integrity of the process by providing truthful and accurate information.

Evaluation

Evidence collected during the inquiry is evaluated to determine if a policy has been violated. Civil will provide the documentation and evaluation to the appropriate management officials and the [Employee & Labor Relations Office](#) or contract company, if appropriate, to develop corrective administrative actions. Corrective actions vary based on the evidence review and the nature and complexity of the case.

Closeout

Once the inquiry is complete, close-out notifications will be sent to the reporting party and respondent letting them know that the review is now closed and the information has been referred to the appropriate management officials and the [Employee & Labor Relations Branch](#) or contract company, if appropriate, for next steps. Civil will continue to work closely with management officials to address concerns and ensure a safe and professional work environment for employees. Because Civil's role is to review the allegations on behalf of NIH, findings are only released to the appropriate management officials and the Employee and Labor Relations Branch for next steps. Any further communication on the case will come directly from them. In order to protect the privacy of all those directly involved, Civil does not release their findings to anyone else. However, should the findings result in disciplinary action, employees will have the opportunity to respond and receive due process at that time.

For more information, please see [FAQs for Respondents](#) on the Civil Program website.