

Close-Out DEI Loudoun County Chamber Memorandum

To: Executive Committee/Board Members of the LCC

Fr: BBEC Chairs, DEI Subcommittee chairs

Date: March 8, 2021

Re: Follow-up to our Zoom call and meeting on March 3, 2021

Stacey and Team: thank you again for your time last week. As promised below is a recap of what we discussed from our vantage point. And, Vanessa Maddox has prepared a best practice HR/DEI corporate--organizational set of best practices when issues arise as they have in this present situation.

As to our notes. I think the most important thing for us going forward is what action the leadership is going to take to address the serious concerns we have raised verbally and in writing with Tony, with Lisa, and now with the Executive Board.

As mentioned we have no intention of filing litigation or any formal grievance about the actions of senior management at the Chamber or the DEI Chairwoman. Here are our suggested action items steps below.

1. There must be some kind of corrective formal actions taken against Tony and Lisa. If not this is window dressing and you really didn't grasp the severity of what we shared.
2. There must be engagement of a DEI professional. We have recommended Ms. Majors. She is working well with Visit Loudoun.
3. The LCCC needs some kind of official DEI/HR professional to put into practice policies and procedures as discussed and can work closely with your "new" working board you created to address these needs.
4. The LCCC staff must become more diverse over the next year into 2022. Excuses that there is no turnover is inadequate and it is an excuse.
5. Better communication protocols and structures around engagement of senior staff. Tony has too much centralized power and the ability to greenlight or not greenlight projects. Act as liaison to committees, etc. And be involved in things that are better handled by female staff or staff of color (when we finally get some). People matter. We must do better than to make people feel tolerated versus valued.

Best Practices for Human Resources in Non-Profit, Corporate, or Business Organizations.

1. **Listen fully to the complaint.** Even if it seems like a frivolous issue, listen completely. This will allow the employee to feel like their voice is heard. Sometimes they don't want any action at all—they just want you to listen.
2. **Ask lots of questions.** During the conversation, ask a lot of questions about the incident. Always remember: "Who, what, when, where, why, and how." You can also paraphrase the complaint and ask if your interpretation is correct to ensure you understand fully. Questions are a great way to ensure accuracy and avoid misinterpretations and inconsistencies.
3. **Ask for something in writing.** This is a very critical piece of the complaint process. After your conversation, request that the person submit something in an e-mail outlining the facts of the complaint. Then, if something arises due to the complaint, you will have written documentation as proof about what was said.
4. **Advise the person to keep the complaint to themselves.** Employees might love to gossip, and they will certainly be hoping for workplace allies...but when it comes to a formal complaint, they must keep it to themselves. In turn, as a supervisor, you need to keep the complaint to yourself.
5. **Ensure action.** Let your employee know that you will follow through. Don't make any further comments (like what you plan to do or when you will do it). Just thank the employee for the information and tell them you will look into the matter.

When asking questions about an employee's complaint, ensure you cover each of the following to get as many details as possible:

- **Who** - Who is this incident about? Who was involved? Who knows about it? Who witnessed it?
- **What** - What happened? What else was happening at the time of the incident? What caused the incident? What proof can be provided that this incident happened?
- **When** - When did the incident take place? When else could this have happened?
- **Where** - Where did this incident take place? Where else could this have happened? Where exactly were employees at the time of the incident?
- **Why** - Why did it happen? Why did the employee come forward with this complaint? Why do they think the incident happened?
- **How** - How are they feeling after this incident? How has this incident affected others? How can you help them? How can this problem be rectified?

Don't Delay Responding to a Complaint

Time is of the essence when handling employee complaints. The longer you take to address it, the easier it will be for people to forget details, for another mishap to happen resulting in another complaint, etc. I have seen things go from bad to worse because supervisors did not address complaints right away.

How to Investigate Employee Complaints

Serious complaints should always be handled by a Human Resources department, if you have one. If not, you'll need to investigate the issue yourself. Once you receive a complaint, you have to investigate it accordingly. Depending on the complaint, there could be various ways to investigate it, but it should generally be the same each time.

1. **If there were witnesses to the incident, then talk to all of them.** Ask questions along the lines of "who, what, when, where, why, and how". Share as few details as possible to ensure that they provide the information in their own words and you can't be accused of "leading" their response.
2. **Obtain all relevant documentation.** If there are documents, files, computer information, or any other evidence related to the complaint, gather that information to hold in your care.
3. **Look through all of the evidence.** While there could be overwhelming evidence that the incident is true, there could be one piece of evidence that turns everything around. Don't just take the person's word for it, look into everything.
4. **Talk to the person who made the original complaint again.** Once you receive more information and have reviewed the details, ask follow-up questions to the person making complaint just in case they forgot any details. Get clarification if there are any discrepancies.
5. **Talk to your supervisor.** Usually you will need the advice of your supervisor on how to handle a complaint. Present the evidence and your conclusion, and decide what action your company should take in regards to the complaint. Alternatively, you could look into your organization's policies to see how complaints are handled.

Complaints occur when we refuse to accept that things are wrong and we do something about it, even if that something is simply articulating our unease.

— Julian Baggini, British philosopher, journalist, and author

How to Respond to Employee Complaints

There are various steps that must be taken when you are finally get to the point of addressing an employee complaint.

1. **Take the appropriate action regarding the complaint.** If someone needs to be written up, then write them up. If a policy change needs to be implemented, then implement it. The action should be done as quickly as possible so there won't be any future issues.

2. **Advise the person making the complaint about what action was taken.** If the complaint was against another person, then don't go into any details, just state it was addressed. If the problem was a procedural issue or a problem that didn't involve another employee, you can give details about how it was resolved.
3. **If the complaint was unfounded, then advise the person making the complaint of that.** This will allow the employee to know what to do in the future if similar situations arise. Don't make them feel bad about the complaint; try to turn it into a learning experience.
4. **Move on.** Once the complaint has been handled and the issue addressed, move on. Don't dwell on the issue, as this could just make things worse in the long run. However....
5. **Keep the complaint in the back of your mind.** If you see a pattern of the same complaint or the same person making another complaint, you may see another issue that needs to be addressed.

How to Document a Complaint

Thorough and careful documentation demonstrates that you took the complaint seriously. Always follow your workplace's policies for handling complaints and investigations.

1. **Have them put it in writing.** Have them submit an email detailing their complaint. If necessary, have them include all relevant information in terms of dates, times, locations, names, witnesses, repercussions, and details.
2. **Respond via email.** Respond to this email by letting them know you will investigate the matter thoroughly and will get back to them as soon as possible.
3. **Keep communicating.** If the investigation takes longer than you anticipate, send another email ensuring them that action is being taken.
4. **Send a final email.** After you have thoroughly investigated the matter, send them another email letting them know what you found and exactly what actions will be taken.
5. **Keep it short and sweet.** Whenever possible, keep your conversations in writing via email to make sure there is a "paper trail." Keep these emails concise, professional, unemotional, and neutral in tone.

What NOT to Do When an Employee Complains

- **Make jokes** (even benign ones) with the employee or anyone else about the situation.
- **Get distracted** while they're talking to you. Turn off your phone and close your office door.
- **Show disrespect.** Don't belittle their complaint, question their veracity, or do anything to make them feel like you don't take the issue seriously.
- **Make the complaint public.** Refrain from speaking of the complaint to any other employees.
- **Punish.** Refrain from taking too-quick disciplinary action against the complaining employee or the person they're complaining about. Take the time to find out what happens before you take any action.
- **Take sides.** Try to remain neutral and professional but friendly, even after you've investigated thoroughly.
- **Play hero.** Try to solve the problem: don't play mediator or therapist—that's not your job.
- **Gossip.** Don't discuss the situation with anyone else at work. It's especially important that you don't gossip or take sides.

- **Escalate.** Don't suggest the employee hire a lawyer or find a new job. Don't make any drastic suggestions until you know all the facts.

What are the Covey 13 trust behaviors?

- **Talk Straight** – Be honest. ...
- Demonstrate Respect – Genuinely care for others. ...
- Create Transparency – Tell the truth in a way people can verify. ...
- Right Wrongs – Make things right when you're wrong. ...
- **Show Loyalty** – Give credit freely. ...
- Deliver Results – Establish a track record of results. ...
- Get Better – ...
- Confront Reality