

Harassment, Discrimination, and Retaliation Investigation Practices



Objective

This audit was initiated to review investigations of alleged discrimination, harassment, and retaliation filed between 2010 and 2015 in order to examine investigatory procedures and standards applied in these cases, report on investigatory practices used in other cities and other entities, and provide recommendations to processes and protocols for anti-discrimination investigations.

Background

On March 24, 2016, the City Council passed a resolution directing the City Auditor to commission an external audit to review investigations of alleged discrimination, harassment, and retaliation. The City Auditor contracted with Matrix Consulting Group to conduct the audit and provided general oversight.

Summary of Consultant's Findings

Overall, the City of Austin has a basic structure to conduct investigations of harassment, discrimination, and retaliation. Based upon reviewed sample, investigation files were generally found to contain relevant and appropriate information and supported the final conclusion. However, the City can improve its processes in several areas:

- Documentation of investigations was not maintained consistently within the files.
- The City is not effectively utilizing technology to manage and track investigatory complaints which limits the City's management and oversight abilities.
- The City does not have sufficient guidance for personnel investigations, including defined roles and responsibilities, timeframes, and reporting requirements.
- The City does not have a proactive training program for all employees investigating discrimination, harassment, or retaliation; the level of training of investigators is inconsistent.
- The current staffing and organizational structure, where staff of the Employee Relations Division of the Human Resources Department have duties in addition to conducting investigations, may impact the ability to complete investigations in a timely and objective manner.

Consultant's Recommendations

Seven recommendations issued by the consultant address:

- expanding utilization of the case management system,
- providing additional guidance and measures for the investigative process,
- monitoring of investigations through periodic reports,
- ensuring compliance with records retention policies,
- developing a comprehensive training program,
- evaluating the current staffing model, and
- formally requiring compliance with the Human Resources Department's guidance on conducting the investigations citywide.