TIPS FOR INTAKE

Remember the goals of intake are threefold: (1) understand the allegations, (2) explore options for resolution, and (3) provide information and resources.

Pre-Intake

• Think through who the individual has already spoken to and who he/she should talk to moving forward to minimize how many times the individual needs to explain his/her concerns.

• In person meetings are best, but if the person does not want to meet, do not require it. Do not require the individual to use break time, come after hours, or use time off.

• If the individual wants someone else present, find out who and why. If that someone else is an attorney, contact EOP and/or the Office of General Counsel.

Intake

• Ask the individual to help you create a detailed timeline of events. Let the individual provide a free-flowing narrative, but be prepared to ask questions as necessary to obtain specifics – dates, names, behaviors/statements.

• Find out what, if anything, has been done to address the conduct or communicate that it was unwelcome.

• Take notes and allow the individual to take notes. Quote exact statements and feelings. Do not tape record or allow the individual to tape record.

• Do not offer any judgments, conclusions or subjective commentary in your notes or to the individual. Do not tell the individual what you think will happen or promise a particular result.

• Convey that you are concerned, but remain neutral. Do not offer any gesture or comment that would indicate you have reached a judgment or have taken a position.

• Do not discuss the “law of the case” or a “policy violation”. Do not classify allegations as “harassment,” “discrimination,” or “retaliation.” Rather, speak in terms of inappropriate behavior.

CONFIDENTIALITY

• DO NOT promise complete confidentiality. Assure individual that confidentiality will be protected to the extent permitted by law and the circumstances of the situation.

• Offer: “To the extent possible, the confidentiality of this matter and your privacy will be respected. However, in order to address the issues, I may need to disclose your identity, but any disclosure will be on a strictly need-to-know basis.”

• Advise of prohibition against retaliation.

• If individual does not wish to have anything done in response to his/her concern, provide him/her with a list of resources available to them. Consult with EOP as soon as possible to determine if further action is required.
OPTIONS FOR RESOLUTION

Exploring options for resolution is a fundamental aspect of intake. For concerns that do not involve allegations of sexual or physical assault or particularly severe harassment, informal resolution through the lowest administrative level is often the most effective and efficient way to resolve a dispute. Of course, what a complaining individual wants to achieve by reporting the conduct will be the primary driver for helping him/her decide how to address his/her concern. The intake meeting is a great opportunity to discuss the myriad of options available and help the individual decide which option would be the best first step.

I. **One-on-One Communication**: If the individual feels comfortable (i.e., does not feel threatened, does not fear physical harm) dealing with the situation without the direct involvement of a third party, he/she can communicate directly with the person whose behavior is unwelcome.

II. **Communication with the Assistance of a Third Party**: The individual may ask one of the following offices or individuals to intervene:
   - His/her supervisor or the other person’s supervisor;
   - The Human Resources Director for the school/department/unit;
   - The University Human Resources Office of Faculty and Staff Employee Relations (Academic);
   - University Ombudsman (contacting the Ombudsman does not constitute official notice to the University).

III. **Mediation**: A facilitated discussion conducted with the assistance of a trained third party. Mediation is designed to help the parties to reach a mutually agreeable resolution of a dispute. More information about the mediation process may be obtained at: [www.virginia.edu/mediation](http://www.virginia.edu/mediation). Mediation may be appropriate when:
   - the parties wish to continue to work together;
   - the facts are not disputed, but the behavior was perceived as unwelcome and/or offensive;
   - no one has been physically harmed;
   - the complaining party is able to articulate a desired outcome; and
   - the parties are committed to resolving their dispute and not “winning” an argument.


If the individual believes he/she has been subject to an adverse employment action or a hostile work environment because of a protected characteristic, the individual has a right to file a complaint with EOP. The individual should understand that filing an EOP complaint does not mean EOP actually has the authority to address the allegations, because EOP may only accept complaints that, if presumed to be true, state a potential violation of the University’s Preventing and Addressing Discrimination and Harassment (PADH) policy or the Preventing and Addressing Retaliation (PAR) policy. If an individual expresses interest in filing a complaint, he/she should be (1) provided the PADH and PAR policies and EOP Complaint Procedures and (2) told that EOP will evaluate the complaint, determine whether the EOP has jurisdiction over it and then will either accept the complaint for further investigation or will assist the individual in determining the appropriate office for redress of his/her complaint.

V. **Respect@UVA Complaint**: [http://www.hr.virginia.edu/other-hr-services/respectatuva/](http://www.hr.virginia.edu/other-hr-services/respectatuva/)

If the individual believes he/she has been subject to disrespectful behavior and has been unable to resolve the problem by asking the accused person to stop or reporting the conduct to a supervisor or HR, the individual may file a formal complaint through the Respect@UVA Complaint System, which will then be investigated.