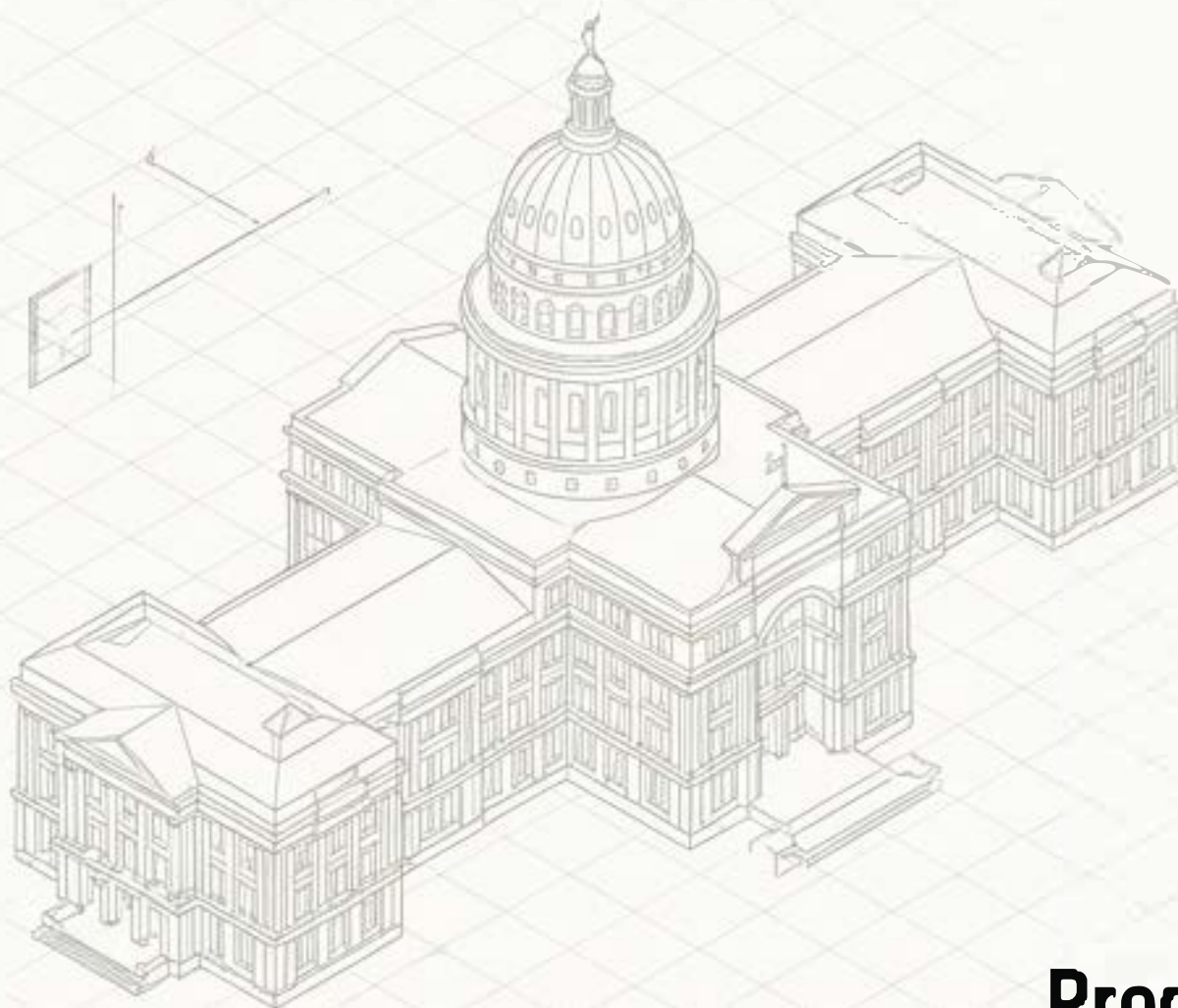




Navigating Workplace Investigations

A Local 1624 Member's Field Guide to Your Rights, The Process, and Your Union Advocate.



AFSCME

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Produced by Union Labor // AFSCME 1624

Why has my complaint become an investigation?

Uncertainty...
What will I be asked?

A quick search online reveals that workplace investigations are shrouded in mystery. Every participant enters with questions, uncertainty, and stress.

Uncertainty...

What will I be asked?

How do I prepare?

Who to trust?

Stress...

You don't just serve the public—you are the public.

Since 1969, AFSCME Local 1624 has fought for fair wages, safer conditions, and respect on the job. With nearly 4,900 City of Austin and Travis County workers standing together, you never have to face an investigation alone.

AFSCME

The 4 Fundamental Rights of Every Employee

1. Fair & Impartial Treatment

Investigators must have no prior biases or conflicts of interest. You must be allowed to present your version of events freely.

3. Protection Against Retaliation

Retaliation for participating is strictly prohibited by law.

2. Confidentiality

Information is strictly kept on a "need to know" basis to protect privacy, though absolute confidentiality cannot be legally guaranteed.

4. Informed of the Outcome

While full reports may remain private, you have the right to know the general outcome and next steps.



Who is in the Room? Understanding Roles and Loyalties

The HR Investigator (Neutral Fact-Finder)

- **Goal:** Gathers objective evidence regarding policy/law violations.
- **Scope:** Evaluates facts, not day-to-day management decisions.
- **Stance:** Maintains neutrality; will not provide emotional support or act as your advocate.

You (The Participant)

- **Goal:** Provide honest, accurate information and specific examples.
- **Scope:** Answer questions truthfully; Code of Conduct requires cooperation.
- **Stance:** Focuses on accurate timelines and relevant documentation without speculation.

Your Local 1624 Rep (Your Advocate)

- **Goal:** Protects your rights and ensures the process remains fair.
- **Scope:** Strong grievance representation tailored to City of Austin and Travis County rules.
- **Stance:** Loyal entirely to you. Your shield in the room.

YOUR MOST POWERFUL RIGHT: UNION REPRESENTATION

Employees have the explicit right to have a union representative or third party accompany them during the investigation interview.



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Do not waive this right. The investigator is gathering evidence for the employer.

Your Local 1624 Representative is there to ensure the rules of engagement are followed, to prevent you from being bulldozed, and to provide expert guidance on Austin and Travis County procedures.

Step 1: Notification & Preparation

Prep Checklist



Call Local 1624 Immediately. Secure your representation before agreeing to any meetings.



Document Your Experiences. Start a private, written record of relevant incidents. Note dates, times, locations, and any witnesses.



Gather Relevant Files. Collect emails, messages, or documents that support the timeline of events.

WARNING

Do Not Speculate. The investigator will not reveal other witnesses' identities to protect working relationships. Do not guess or gossip about who said what.



Step 2

Step 2: The Interview (If You Are the Complainant)



DO: Provide Specific Examples

Ground your complaint in undeniable facts. Provide the date, time, location, and exact nature of the incident.

Example: "On January 15, during the team meeting in the conference room, John repeatedly interrupted me while I was presenting my report."



DON'T: Rely on Vague Feelings

Avoid generalizing or bringing up general managerial disagreements that don't violate specific policies or laws.

Example: Avoid statements like, "I just felt uncomfortable during meetings." Specificity allows the investigator to act.

Step 2: The Interview (If You Are the Respondent)



**Nuances
Matter.**



Understand the Goal.

The investigator is gathering facts, not judging you personally.

Some allegations, even if true, may stem from misunderstandings and not amount to actual misconduct. Remain calm and professional.



Be highly precise in your language:

- **“No”** = A definitive denial that an event occurred.
- **“I do not recall”** = Implies the event may or may not have happened.
- **“I would not have done that”** = Is NOT the same as saying you did not do it.

Speak clearly and accurately.

Navigating the Interview Environment

Right to Request Breaks

You control your pacing. If you are overwhelmed or need to consult your rep, ask for a break.

Right to Representation

Your Local 1624 Representative sits with you, ensuring a fair process.

Right to Provide Supplemental Information

You can submit documents and evidence to the investigator during or after the interview.

Right to Identify Witnesses

You can identify anyone with relevant information, though the investigator ultimately decides who to interview.



Step 4

Step 4: How Decisions Are Made

The Preponderance of the Evidence Standard



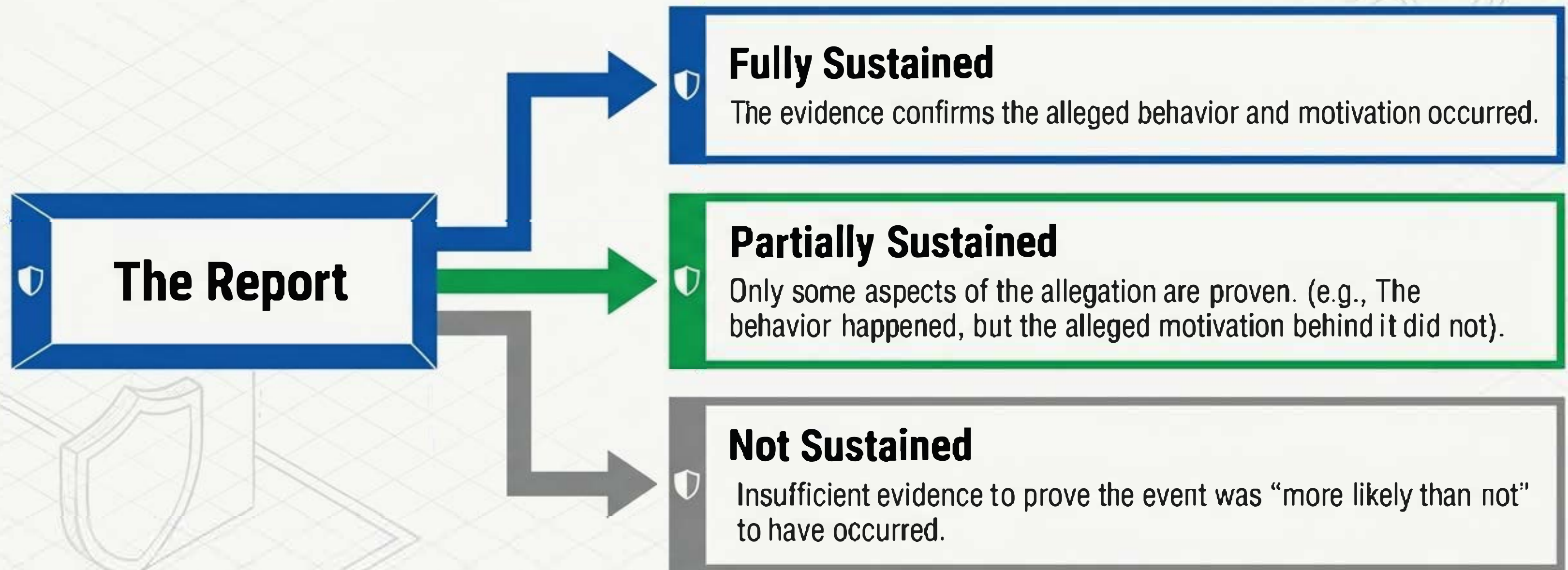
HR investigators do not use the criminal standard of “**beyond a reasonable doubt.**” Instead, they use an objective weighing of evidence called the **Preponderance of the Evidence.**



The investigator simply determines whether the facts alleged were more likely than not to have occurred. If the evidence tilts even slightly (51%) to one side, that becomes the finding of fact.

Step 5: The Findings & The Outcome

Findings are often complex and rarely black and white. No conclusions are reached until fact-gathering is complete.



The Zero-Tolerance Shield: Protection Against Retaliation



It is vital that you feel safe raising concerns. Strict City of Austin and Travis County policies prohibit retaliation against any employee who participates in an investigation in good faith.



Forms of Illegal Retaliation:



- Loss of a job or termination
- Reassignment or forced transfer
- A drop in salary or reduced hours
- Verbal abuse or workplace hostility

**Neither the company nor any individual can legally retaliate against you.
If they try, Local 1624 will fight back.**

The Local 1624 Difference

Without Representation



- **Isolated** in a stressful environment.
- **Guessing** at legal standards and terminology.
- **Vulnerable** to leading questions.
- **Unsure** of procedural rights.

With AFSCME Local 1624



- **Prepared:** Guided by experts who know municipal and county policies.
- **Protected:** Guarded against retaliation and unfair treatment.
- **Advocated For:** Backed by the collective power of 4,900 local workers.

**When we organize and speak with one voice, we win.
No one can ignore the collective strength of Local 1624.**

Stay Connected & Keep the Union Strong



Attend Monthly Meetings

Join us on the 4th Thursday of each month at 6:00 PM.

Location: Texas AFL-CIO, 1106 Lavaca St #200, Austin, TX



Update Your Records

Don't miss critical alerts, newsletters, or text updates. Keep your phone and email current with the local office.



Join the Vote PAC

Support candidates who advocate for public workers' rights. Political action defends the policies that protect us on the job.



You Deserve a Voice at Work. We're Here to Make Sure You Have One.

**Facing an investigation? Need to submit a grievance?
Do not wait. Secure your representation today.**

- **Phone: 512-477-5544**
- **Email: info@afscme1624.org**

