

<b>COMPANY LOGO</b>	Policy Number: #	Date: <b>Date</b>
	Policy Name: <b>Case Management Procedure</b>	Rev: #
	Approver: <b>Name</b>	Function: <b>Name</b>

**Scope and Applicability**

This guide describes the life cycle of the case management process from intake of concerns to the implementation of corrective and/or disciplinary actions. It also describes the roles and responsibilities of those involved in the process.

This guide is for those who have roles and responsibilities in this process. The process describes standard steps taken in a typical sequence when an employee reports a concern. Cases vary widely in their purview, complexity, and impact. As such, practitioner judgment is used regarding the steps appropriate to the individual circumstance faced.

Nothing in this process is intended to change, modify or alter the employment relationship between an employer and its employees. To the extent that an employee has an “at will” relationship with the Company, either the company or the employee can terminate the employment relationship at any time with or without cause or notice.

**Key Terms**

Case Management System (“System”) – is a centralized database of complaints. It is used to document new complaints, questions and feedback, and steps taken by people involved in the process. The System also provides the means for analysis of collected data and the production of charts, spreadsheets, and other analytical tools related to that data. (Note: several commercial vendors provide software and/or services that provide this support.)

Investigation Plan – is a document prepared by the Investigator that lays out the fact finding process to be followed. It describes background documentation to be gathered and interviews to be conducted.

Investigative Report – is a document prepared by the Investigator to provide information needed during a second level review to determine: whether a case is substantiated; appropriate corrective and/or disciplinary actions and root cause analysis for substantiated cases.

Written Determination – is a document that records findings on the validity of the case and, as applicable, the root cause. The Written Determination also specifies the corrective and/or disciplinary action that will be carried out in substantiated cases.

**Roles and Responsibilities**

Distinct roles are described below although one person may fulfill more than one role simultaneously. The roles are collapsed and combined as needed while being mindful to avoid any real or perceived conflicts of interest, such as a manager investigating a case against someone in his or her reporting line. Any individual with an apparent conflict of interest makes the conflict known and recuses him or herself.

Referring Source – A Referring Source is any individual who reports potential misconduct or illegal activity. Referring Sources can be employees, customers, subcontractors, or anyone else who expresses concerns about the conduct of company employees, customers, or subcontractors.

<b>COMPANY LOGO</b>	Policy Number: <b>#</b>	Date: <b>Date</b>
	Policy Name: <b>Case Management Procedure</b>	Rev: <b>#</b>
	Approver: <b>Name</b>	Function: <b>Name</b>

Intake Individuals – Intake Individuals are representatives of the disclosure channels outlined in the Intake section of this document. They are responsible for documenting the details of the reports they receive and sending the reports for assignment to an Investigator.

Subject – The Subject is the person the Referring Source alleges is engaged in misconduct or illegal activity.

Investigative Functional Leads – Investigative Functional Leads (i.e., designated leads for HR, Legal, Security, Audit, Ethics or similar corporate functions) are responsible for:

- Choosing the appropriate individuals to lead investigations in their functional areas
- Supervising investigations conducted in their functional areas
- Ensuring cases in their functional area receive a second-level review to:
  - Determine the sufficiency of the investigation
  - Determine case substantiation (whether the evidence supports the claim)
  - Make a root cause determination in substantiated cases
  - Determine the appropriate corrective and/or disciplinary action in substantiated cases

Investigators – Investigators are responsible for:

- Conducting fact-finding investigations
- Creating Investigative Reports for second-level review
- Documenting their investigations and the results in the System
- Informing management of investigations (as appropriate, with guidance from Investigative Functional Leads and Human Resources Business Partners)
- Answering questions asked about their investigations and facts/information discovered

Human Resources Business Partners (HR BPs) – HR BPs are responsible for:

- Serving as resources to assist Investigators in determining which managers should be informed during each stage of the investigation
- Assisting management in carrying out the corrective and/or disciplinary actions determined
- As appropriate, briefing the Referring Source and Subject on the results of the Investigation
- Partnering with a System Administrator to follow up with the Referring Source to ensure no retaliation has occurred

Management (of the Subject in the case) – Management provides input into decisions about the appropriate corrective and/or disciplinary action(s) in substantiated cases and works with the HR BP to implement the corrective and/or disciplinary action(s) determined.

<b>COMPANY LOGO</b>	Policy Number: #	Date: <b>Date</b>
	Policy Name: <b>Case Management Procedure</b>	Rev: #
	Approver: <b>Name</b>	Function: <b>Name</b>

## Process Guidance

### Overview

# Case Management Process



## 1. Intake/Triage

### Disclosure Channels

Employees or other individuals who wish to report possible misconduct by company employees, customers, and subcontractors will make their report through any of the following disclosure channels:

- Employee's manager or other individual in the management chain
- Human Resources Manager
- Chief Ethics Officer, or any member of the Ethics Office
- Anonymous and confidential reporting hotline (if this capability is available)
- Anonymous and confidential online submission at a designated URL (if this capability is available)
- General Counsel
- Chief Executive Officer
- Board of Directors, collectively or individually

<b>COMPANY LOGO</b>	Policy Number: #	Date: <b>Date</b>
	Policy Name: <b>Case Management Procedure</b>	Rev: #
	Approver: <b>Name</b>	Function: <b>Name</b>

### Written Complaints

When Intake Individuals receive reports by email or a letter, they simply forward the reports to an Investigative Functional Lead or the Chief Ethics Officer for proper assignment.

### Oral Complaints

When Intake Individuals receive reports in-person or by phone, they document the reporter's name and contact information and gather the following additional information, if possible:

- What alleged misconduct occurred
- Who carried out the alleged misconduct
- When the alleged misconduct occurred
- Where the alleged misconduct occurred
- Who witnessed the alleged misconduct
- Whether there is any additional documentation of the alleged misconduct, such as emails, contracts, resumes, etc.

Intake Individuals document the details of the report received from the Referring Source, thank them, explain that the case will be reviewed in accordance with the company's investigation process, inform the Referring Source of the company's non-retaliation policy, direct them to contact one of the disclosure channels if they believe they have been subject to retaliation, and send the information collected to an Investigative Functional Lead or the Chief Ethics Officer.

### Anonymous Complaints

For anonymous reports received through a hotline or online submission using a vendor System that supports an interactive follow-up capability, the Investigative Functional Lead will post a note thanking the Referring Source, informing them of the company's non-retaliation policy, and requesting that they refer back to the report about once per week to see if the Investigators have any questions. System Administrators forward the information to an Investigative Functional Lead or the Chief Ethics Officer.

### Triage/Case Assignment

When routing cases, Investigative Functional Leads and Intake Individuals make an initial assessment regarding which functional area is best suited to conduct the fact-finding investigation. For instance, allegations involving statutory violations or litigation risk may be handled by Legal, cases involving employee safety may be investigated by Security, and complaints about harassment may be investigated by HR.

Investigative Functional Leads monitor cases routed to them to verify and concur that they have been appropriately directed. They then assign an Investigator to the case.

## 2. Investigate

Once Investigators receive case assignments, they prepare an Investigation Plan and obtain its approval from their Investigative Functional Lead before proceeding. The Investigator discovers the facts by gathering background documented information, e.g., personnel files, timecards, emails, expense reports. They examine pertinent records before and during interviews that affirm or refute the allegation.

<b>COMPANY LOGO</b>	Policy Number: #	Date: <b>Date</b>
	Policy Name: <b>Case Management Procedure</b>	Rev: #
	Approver: <b>Name</b>	Function: <b>Name</b>

When interviewing the Subject as part of an investigation, the Investigator gives the Subject an opportunity to provide a statement that outlines their side of the issue.

Once the Investigator believes he or she has gathered information adequate to determine case validity, the Investigator prepares an Investigative Report. The Investigative Report includes:

- A description of the allegation(s) under investigation
- Relevant background information
- Investigative actions
  - References for any documents reviewed during the investigations
  - A list of all interviewees
- Findings of fact
  - References to applicable company policies
- Summary

**3. Adjudicate**

Upon receiving an Investigative Report, whomever is conducting the second-level review (typically the Investigative Functional Lead) will:

- Determine whether the Investigator gathered sufficient information to enable them to make a judgment on whether the case is substantiated and, as applicable, the root cause and appropriate corrective and/or disciplinary action
- Based on the information in the Investigative Report, conclude whether the allegations are substantiated
- For substantiated cases, determine the root cause of the misconduct
- For substantiated cases, determine the appropriate corrective and/or disciplinary action
- Prepare a Written Determination

**4. Close Out**

If cases are determined to be substantiated or partially substantiated, the Written Determination includes a statement about what corrective and/or disciplinary action will be implemented.

**Corrective actions** are actions that serve to mitigate the risks and/or mistakes that contributed to the misconduct and prevent problematic behaviors from recurring. Examples of corrective actions are improvements to guidance, training, or policies.

**Disciplinary actions** are actions that serve to discipline the individual who engaged in the misconduct. Disciplinary actions can include verbal or written reprimands, withholding bonuses or promotions, demotions, and termination.

The Subject's manager, with assistance from the Subject's HR BP, is responsible for implementing the corrective and/or disciplinary action prescribed.

Once the corrective and/or disciplinary action has been fully implemented, the HR BP should provide the System Administrator with an artifact that demonstrates the action was taken. The artifact might include a copy of memos provided to the Subject (written warnings, notices of termination), a copy of the record demonstrating that training has been completed, email

<b>COMPANY LOGO</b>	Policy Number: #	Date: <b>Date</b>
	Policy Name: <b>Case Management Procedure</b>	Rev: #
	Approver: <b>Name</b>	Function: <b>Name</b>

confirmations from management confirming that the required follow-up actions have been taken, and the like.

After a case is closed the HR BP provides the Referring Source and the Subject of the investigation with a high-level brief on the outcome of the case.

The HR BP partners with an Investigative Functional Lead to follow up with the Referring Source at a later date to monitor whether he or she has been subject to retaliation.

If the Investigator has reason to be concerned that witnesses may also be vulnerable to retaliation (e.g., because a manager is in a position to know who provided negative information or opinions about him or her or a manager has shown signs of resentment toward individuals he or she believes offered negative information or opinions), the Investigator should inform the cognizant HR BP so he or she can also partner with an Investigative Functional Lead to monitor whether that witness has been subject to retaliation.

If the HR BP or System Administrator believes the Referring Source may be experiencing retaliation, or if the Referring Source claims he or she has suffered from retaliation, a new case is opened.

**Document Created:** May 2016

**Disclaimer:** This document is for reference only and to be used at the consumer's own risk. The Defense Industry Initiative (DII) does not guarantee the completeness or accuracy of this template policy. Although this template policy addresses common risks associated with being a government contractor, to ensure completeness, it is recommended that you supplement this template with provisions that affect your company's business. Depending upon your specific business, this template may not provide accurate or relevant provisions that apply to your company. Therefore, it is recommended that you adapt this template document as appropriate to align with your business requirements. This template has not been updated to reflect any changes or developments in the law that have occurred after the document creation date. As such, DII cannot guarantee that this document reflects current law.