The Role of an Advisor in the Formal Complaint Process

Complainants, respondents, and witnesses are welcome to bring a single individual (advisor) with them on visits to the Office of Compliance and Equity Management (OCEM). An advisor may be an advocate, parent, friend, staff or faculty member, Union representative, legal counsel (at their own expense) or other person chosen by the party to support them. If, however, an individual chooses to bring legal counsel, they must inform OCEM ahead of the meeting so that University Counsel can be scheduled into the meeting as well.

Expectations for advisors:

- An advisor is limited to a supporting and advising role during the process. This may include emotional support, logistical advice, or legal advice.
- While an advisor may provide support and advice, they do not have an active role in the process and may not speak on behalf of the involved party. It is up to the complainant, respondent, or witness to present information during the process.
- An advisor may confer quietly with their advisee, exchange notes, suggest questions to their advisee, and request to speak with their advisee in private.
- An advisor is held to an expectation to keep information shared during the process confidential.
- An individual is not permitted to be both an advisor and a witness in an investigation. The involved party must decide what role they would like the other individual to take.
- OCEM’s communication during the process will be primarily with the complainant, respondent, or witness, not directly with an advisor. OCEM will copy an advisor on communications if requested in writing by the party involved.
- OCEM will reasonably accommodate an advisor’s schedule, but will not unnecessarily delay the process due to an advisor’s conflict. It is the complainant’s, respondent’s, or witness’s responsibility to schedule with their advisor. OCEM will not serve as the scheduler for the advisor.
- UNI’s policy prohibits retaliation in response to any individual’s cooperation with the reporting and/or investigation process. An advisor is also protected by and subject to this retaliation policy. If a party feels they have been retaliated against, they should let OCEM know immediately.
- Any advisor who is not following these expectations or who is disruptive may be asked to leave the investigation meeting.

Guidelines for union-covered employees regarding representation:

- If you are a Union-covered employee (United Faculty or AFSCME), you are entitled to union representation during the interview. We ask that you coordinate scheduling with the representation and OCEM.
- Your Union representation has the right to be informed of the meeting’s subject matter, and may provide you advice on how to answer questions.
- You and/or your Union representation may request to caucus at any time during the
meeting and may leave the meeting space to do so.

- Your Union representation may request clarification of questions, so that you may better understand, and also may give additional information to the investigator at the end of the questioning.
- It is OCEM’s expectation that all of this will be done without disruption to the meeting.

I hereby verify that I understand the above information regarding OCEM’s role of advisors.

_________________________________  _____________________
Signature of Advisor                   Date

_________________________________  _____________________
Signature of involved party            Date