



# RESPONSIBLE EMPLOYEE

## Quick Guide for Employees

When someone comes to you with a concern related to sexual violence and sexual harassment, it's crucial that you **listen, support, and offer resources**. You are also expected to share what you learned with the Office for the Prevention of Harassment and Discrimination (OPHD). To avoid retraumatization, please do not attempt to investigate. The following table offers tips on responding as a Responsible Employee.

TIPS ON HOW TO RESPOND	EXAMPLES ON WHAT YOU COULD SAY OR DO
Remind the person that you are <b>not</b> a confidential resource.	"Before we continue, it's important you know that as a campus employee, if I learn of any incident of sexual violence or sexual harassment, I am required to share that information with OPHD. Sexual violence and sexual harassment include sexual assault, relationship violence, stalking, sexual exploitation, invasions of sexual privacy, and retaliation. I'm letting you know this so that you can choose how much you want to share with me. I also want to let you know there are confidential resources available to you."
Create a comfortable and private environment. Appreciate the person for connecting with you.	"Thank you for trusting me, I imagine it can be difficult to share. Do you feel comfortable talking here or is there somewhere else you would prefer?"
Listen actively and respond without blame, doubt, or judgment, and without attempting to investigate.	"I want to support you, whatever you decide to do."
Offer a warm referral to the PATH to Care Center and provide the <b><u>Notice of Rights and Options for Survivors of SVSH</u></b> .	"I want to help you get the support you deserve and information about your options. There are trained, confidential advocates at the PATH to Care Center who can help, whatever you decide. Let's call an advocate together and then you can decide if you want to make an appointment." <b>Call the 24/7 Urgent Support Care Line: 510-643-2005</b> for confidential support. A warm person-to-person interaction and referral from someone familiar can make a huge difference for the impacted person.
Share what you learned with OPHD.	Contact OPHD by completing their online reporting webform, emailing <a href="mailto:ask_ophd@berkeley.edu">ask_ophd@berkeley.edu</a> , or calling <b>510-643-7985</b> . For information, visit <a href="https://ophd.berkeley.edu">ophd.berkeley.edu</a> . If you are a Campus Security Authority and also need to file a Clery crime report, please complete the <b><u>Clery Act Crime Report Form</u></b> .
Take care of yourself.	Learning that someone you know experienced sexual violence or sexual harassment can be difficult. It is common to feel angry, sad, anxious, overwhelmed, and to experience symptoms of vicarious trauma or a reactivation of your own traumatic experiences. Remember that there are resources available to support you as well. Consider calling the <b>PATH to Care Center 24/7 Urgent Support Care Line at 510-643-2005</b> , or calling <b>Employee Assistance at 510-643-7754</b> , for confidential support.

## ABOUT RESPONSIBLE EMPLOYEES

A Responsible Employee is “any University employee who is not a Confidential Resource.” This applies to student employees (e.g. resident assistants and GSIs), when disclosures are made to them in their capacities as employees.

Responsible Employees are always encouraged to report all Prohibited Conduct to the Office for the Prevention of Harassment and Discrimination (OPHD). In addition, according to the University of California Policy on Sexual Violence and Sexual Harassment (UC SVSH Policy), Responsible Employees have certain reporting obligations. If they learn of conduct prohibited under the UC SVSH Policy during the course of their work (“Prohibited Conduct”), they must promptly notify OPHD.

### REPORTING OBLIGATIONS FOR ANY EMPLOYEE WHO IS NOT CONFIDENTIAL

You should promptly notify OPHD when:

- In the course of your work, you become aware that **a student** has experienced Prohibited Conduct.

### REPORTING OBLIGATIONS FOR FACULTY, SUPERVISORS, MANAGERS, HR AND ACADEMIC PERSONNEL, CAMPUS POLICE

You have an additional responsibility and should promptly notify OPHD when:

- In the course of your work, you become aware that **anyone affiliated with the University** has experienced Prohibited Conduct.

Your report enables the University to promptly address reports of harassment and violence, by informing the individuals charged with taking action under University policy, thus helping foster a safer learning and working environment.

### CAMPUS SECURITY AUTHORITIES HAVE ADDITIONAL RESPONSIBILITIES UNDER THE CLERY ACT

Please provide the [Notice of Rights and Options](#) to any parties reporting sexual assault, dating violence, domestic violence, and stalking. If you are a Campus Security Authority and need to file a Clery crime report, complete the [Clery Act Crime Reporting Form](#). If you are unsure if you are a Campus Security Authority or have questions, please contact [clery@berkeley.edu](mailto:clery@berkeley.edu).

Other campus employee designations may have additional notification requirements, such as Mandated Reporters, who have notification responsibilities under state laws such as the California Child Abuse and Neglect Reporting Act (CANRA). Check with your supervisor if your job has other notification or reporting requirements in addition to being a Responsible Employee and/or Campus Security Authority.

## RESPONSIBLE EMPLOYEE FAQ

### 1. How do I fulfill the reporting part of my obligation as a Responsible Employee?

Contact the Office for the Prevention of Harassment and Discrimination (OPHD), the campus Title IX Office, as soon as possible by completing a reporting webform, emailing [ask\\_ophd@berkeley.edu](mailto:ask_ophd@berkeley.edu), or calling **510-643-7985**. For more information, visit [ophd.berkeley.edu](http://ophd.berkeley.edu).

### 2. What do I share with OPHD?

You are expected to share all information you learned about the incident, including names, and contact information.

- Only provide information to OPHD that you were told or you know.
- You should NOT conduct an investigation, try to determine whether something actually occurred, or ask for more details.

Respect the privacy of the impacted person.

- Responsible Employees should not discuss the matter with other people who do not have a legitimate need to know. If you're unsure, OPHD can help determine if anyone else needs to receive the info.
- You may consult with Confidential Resources, such as the PATH to Care Center if needed.

As a Responsible Employee, you should report directly to OPHD.

- Contact OPHD even if you are unsure whether the incident actually occurred or whether it constitutes Prohibited Conduct.
- Even if you believe the incident may already have been reported to OPHD, you should still contact OPHD and share what you know (others may not have shared the same information).
- It is each Responsible Employee's duty to fulfill their reporting obligation.

### 3. What happens next?

OPHD will contact the impacted party to provide resources and information about the person's rights and options for support and resolution. The impacted person will always have a choice whether or not to respond to outreach from OPHD and/or participate in an action or investigation.

You may see or work with the impacted person, as well as the parties involved in the misconduct, in the future. It is critical to maintain privacy and to avoid asking anyone about the OPHD report, case, or investigation. Your interactions with all parties involved should be kind, professional, and respectful.

### 4. Will I find out what happens with a case after I notify OPHD?

Responsible Employees, witnesses, and other third parties will not be informed about the status of a case unless OPHD determines there is a need to know. The University prioritizes the privacy interests of those involved in SVSH reports as well as the integrity of complaint investigations and other resolution processes.

### 5. Where can I go if I have questions about being a Responsible Employee?

You may contact OPHD by emailing [ask\\_ophd@berkeley.edu](mailto:ask_ophd@berkeley.edu) or calling **510-643-7985**.

**Disclaimer:** This Responsible Employee Quick Guide and FAQ are not a formal part of the UC Policy on Sexual Violence and Sexual Harassment. Where differences occur between this resource and University policy, University policy and procedure govern.

Created by the Coordinated Community Review Team (CCRT) of the University of California, Berkeley. Last updated **Dec. 2023**.