

DATA

CWU DIGITAL+TECHWORKER ALLIANCE



STAMP OUT SEXUAL HARASSMENT

FIRST RESPONDER CHECKLIST

Trade Union Representative Checklist

This checklist is intended to guide CWU representatives when a member reports an incident of sexual assault or sexual harassment. In many situations, the union representative may be the first responder—the first person the member approaches about their experience. To provide appropriate support and ensure a sensitive response, representatives should follow the steps outlined below.

1. Initial Response Guidelines for CWU Representatives

- **Ensure a safe and private environment**
Create a confidential, comfortable space where the member feels safe to speak openly.
- **Ask what the member needs right now**
Respect the member's preferences. Some may feel more comfortable with two representatives present or may wish to speak with a woman/man or an equality representative. You should facilitate these requests wherever possible.
- **Listen with care and without judgment**
Provide a supportive presence. Allow the member to share their experience at their own pace.
- **Take all disclosures seriously**
Respond with empathy and professionalism, prioritising the member's wellbeing, including referral to the appropriate support services including the company Employee Assistance Programme.
- **Offer information about further support**
If the member's mental or physical health has been affected, signpost them to appropriate support services, including counselling or medical care. Please see a list of resources at the end of document.

2. Gathering Information

Be mindful not to press for details the member is not ready to share, then respectfully seek to understand the situation by exploring the following:

- **What took place, and when did it occur?**
Allow the member to describe the incident in their own words, without pressure.
- **Who was involved?**
Note any individuals named, ensuring confidentiality in how this information is handled.
- **Were there any witnesses?**
Ask whether anyone else was present or may have relevant information, while being mindful not to press for details the member is not ready to share.

3. Discuss Reporting Options

It is entirely the member's choice if, when, and how they wish to take further action. Being mindful of this, your role is to provide clear, compassionate guidance without pressure.

- **Respect the member's autonomy**
Support their right to decide what steps to take, and when they feel ready to take them.
- **Outline workplace procedures**
Explain the relevant workplace policies for addressing complaints of sexual harassment or assault. This may include the informal resolution process, formal complaint process or mediation if appropriate.
- **Refer the member to the CWU Stamp out Sexual Harassment Campaign Materials**
This provides the member with guidelines and an incident log for tracking complaints.
- **Ensure clarity around external reporting**
If the incident is recent and involves sexual assault or another criminal offence, gently advise the member that they have the option to report it to the Gardaí. Emphasise that this is the member's decision.

○ Outline the union's role and offer further support

Gently explain to the member that the union is not able to intervene in criminal matters such as police investigations as this is outside the scope of our support structures

If sexual harassment involves sexual violence or assault, members should be encouraged to report this to the gardaí, however you should gently explain to the member that the union cannot intervene in external matters such as gardaí investigations or in situations of sexual assault of a criminal nature, as this is outside the scope of our support structures

You can reassure the member that they are not alone, and you will continue to ensure that the internal policy is followed. You can signpost them to appropriate external support services, including those listed below, as well as any Employee Assistance Programme (EAP), which may offer counselling and additional help.

4. Agreeing on Reporting Options and Next Steps

Once the member knows how they wish to proceed, you may take one or more of the following actions, based on their needs and consent:

○ Provide relevant union resources

Encourage the member to refer to the Sexual Harassment Incident Record and Member Guidelines to help document their experience and understand available pathways.

○ Support written documentation

Suggest that the member write down their account of events while the details are still clear. This can be helpful for any future steps they may choose to take.

○ Assist with informal resolution (if appropriate)

If the member wishes to pursue the informal route and it is safe and appropriate to do so, they may wish to raise the matter directly with the alleged offender. They may wish to seek support from you as a representative to do this. Care should be taken, and any approaches must be done with the member's full agreement.

○ Support formal reporting

If the member chooses the formal process, they should prepare a written complaint to be submitted to the employer in accordance with workplace policy.

○ Provide representation

Offer to accompany and represent the member in any formal meetings, ensuring they feel supported throughout.

○ Ongoing support

The member may need ongoing support and should not face victimisation for making a complaint in good faith.

○ Seek additional guidance if needed

Where appropriate, contact CWU HQ for further advice or support in handling the case.

5. Understanding the Legal Framework

Members have the right to bring a complaint to the Workplace Relations Commission (WRC) under the Employment Equality Acts within 6 months of the most recent incident. This statutory time limit may be extended by a further 6 months if there is reasonable cause however it is not safe to rely on this reasonable cause.

○ It is important that you and the member are aware that pursuing a complaint through internal workplace procedures does not pause

or extend this statutory time limit as the 6-month period is counted from the date of the last incident of alleged sexual harassment.

- Advising members with accurate information about these legal timelines helps them make informed decisions about their next steps regarding pursuing a complaint of employment-related sexual harassment.
- Depending on the nature of the complaint, members may also have the option to bring claims before the Circuit Court.

6. Keeping Records

- Maintain clear and accurate records of any documents or information related to the incident, including the actions taken. This helps ensure transparency, accountability, and appropriate follow-up.
- Records concerning reports of sexual harassment often contain highly sensitive personal information. It is essential that all documentation is securely stored in strict accordance with GDPR and relevant data protection legislation. This information may be subpoenaed if an investigation is instigated, however again the role of the representative is to refer the complainant to external support services.
- Get advice on GDPR and maintenance of records from Union Head Office.

For more information, please read the CWU Sexual Harassment Representatives' Guidelines.

Lists of Supports

Crime Victims Helpline:
<https://crimevictimshelpline.ie>

Dublin Rape Crises Centre: <https://www.drcc.ie/>

Gardaí: <https://www.garda.ie/en/crime/>

HSE Sexual Assault Treatment Units:
<https://www2.hse.ie/services/satu/>

Men's Aid: <https://www.mensaid.ie>

Rape Crisis Ireland: <https://rapecrisisireland.ie>

Women's Aid: [Women's Aid - Listening, Believing, Supporting, Empowering.](#)