

Hotline Rollout

How to launch a reporting channel that employees actually trust, and that gives you documented proof of a real path to report, which is central to the affirmative defense analysis.

REPORTING HOTLINE

ANTI-RETALIATION

AFFIRMATIVE DEFENSE

Checklist Companion

Hotline Rollout

A reporting hotline is not a phone number; it is the linchpin of a defensible harassment program. It gives employees a real door that does not run through the person they may need to report, and it gives you dated proof that the door existed.

Under Faragher/ Ellerth, the second prong of the affirmative defense asks whether the employee unreasonably failed to use the employer's reporting process, but that argument is only available if the process was one a reasonable employee would trust and use. A neutral, anonymous, well-publicized channel is what makes that prong available.

Design for trust

Choose a neutral, third-party channel available around the clock by phone, email, and web, and make sure it bypasses an employee's own supervisor and allows anonymous reports. If your workforce is multilingual, confirm access in the languages people actually speak. The whole value of the channel is that someone will use it even when the problem is their boss.

Integrate it into the business

Define how reports are handled from intake to triage: who receives them, how they are timestamped, and how they route to a neutral investigator. Then put the hotline everywhere employees look, policy, onboarding, posters, and the pay portal, so no one can credibly say they did not know it existed.

Launch it and prove it works

Announce the launch together with a clear no-retaliation promise, because a single act of retaliation can undo the channel's credibility for everyone. Log every contact with a timestamp, since you must be able to prove the channel existed and was available, and review usage and response times periodically, reporting trends to leadership so the program stays healthy.

WHY THE CHANNEL HAS TO BE REAL

An employer cannot argue an employee should have complained while tolerating retaliation against those who do, or while offering only a channel that runs through the accused. A channel that is neutral, anonymous, and demonstrably safe is what makes an employee's non-use 'unreasonable' rather than understandable.

At a Glance

The checklist at a glance

The companion checkbox sheet walks through these 8 steps. Use the sheet in the moment; use this guide to understand the why behind each move.

DESIGN

- ☐ **1** Choose a neutral, third-party channel available 24/7 by phone, email, and web.
- ☐ **2** Ensure it bypasses an employee's own supervisor and allows anonymous reports.
- ☐ **3** Confirm multilingual access if your workforce needs it.

INTEGRATE

- ☐ **4** Define intake-to-triage handling.
- ☐ **5** Add the hotline everywhere employees look.

LAUNCH & PROVE

- ☐ **6** Communicate the launch and the no-retaliation promise to all employees.
- ☐ **7** Log every contact with a timestamp.
- ☐ **8** Review usage and response times periodically, and report trends to leadership.

Important

About this guide

Educational information, not legal advice. This guide is provided by empathiHR for general educational purposes. It is not legal advice and does not create an attorney–client or consultant–client relationship. Employment law changes frequently and varies by jurisdiction, industry, and the specific facts of each situation.

Reporting–channel requirements vary by jurisdiction and by industry, several states mandate specific posting, language–access, or hotline features, and call–recording and anonymity practices are subject to state law. Before acting on anything in this guide, review your policies, programs, and specific circumstances with qualified employment counsel. empathiHR works alongside your legal counsel to build and maintain the operational program described here.

Case citations, statutes, and figures were current as of the update date on the cover and should be re–verified against primary sources before you rely on them. Where the law is unsettled or a figure is not fixed by statute, this guide says so.



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