

Jeffrey Lamoureaux Highlights Why Retaliation Concerns Should Be Addressed as Soon as They Surface

Civil rights investigator Jeffrey Lamoureaux encourages organizations to have a clear process for recognizing and responding to new concerns that emerge during or after an investigation.

Auburn, Alabama Oct 23, 2026 ([Issuewire.com](https://www.issuewire.com)) - Resolving an initial workplace or institutional complaint does not necessarily mean an organization's responsibility to pay attention has ended. According to civil rights investigator Jeffrey Lamoureaux, what happens after a complaint is made can sometimes create an entirely new issue that requires its own careful review.

Retaliation concerns can surface during an investigation or after the original matter has concluded. An employee might report a sudden change in responsibilities, a student may raise concerns about treatment after a complaint, or a witness may believe their participation in an investigation led to different treatment.

Lamoureaux, owner of CIXE Investigations, has conducted more than 1,000 investigations during his career. His work includes Title IX and civil rights matters as well as workplace complaints involving discrimination, harassment, retaliation, whistleblower concerns, and employee misconduct.

"An organization might be concentrating on whether the original allegation occurred while something new is happening in the background," Lamoureaux said. "If someone comes forward and says, 'Since I participated in this process, my supervisor has changed my schedule and removed responsibilities I previously had,' that deserves attention. It does not automatically establish retaliation, but it gives the organization a new set of facts to evaluate."

Organizations Need a Clear Way to Report New Concerns

Lamoureaux recommends that organizations make it clear how employees, students, witnesses, and other participants can report concerns that arise after an initial complaint.

That is particularly important because someone experiencing a new issue may assume it is already covered by the existing investigation. The organization, meanwhile, may have no idea anything else has happened.

"People need to know where to go if the situation changes," Lamoureaux said. "If the original complaint was made two months ago and the person now believes something different is happening because they made that complaint, I would not want them assuming that investigators somehow already know about it."

Once a new concern is reported, the organization can determine how its policies and procedures require it to be handled. Depending on the circumstances, that could mean expanding an existing investigation, beginning a separate review, or taking another appropriate step.

Lamoureaux cautions against informally adding a retaliation allegation to an existing investigation without first considering its scope. New allegations may involve different events, witnesses, documents, decision-makers, and applicable policies.

Timing Matters, But It Does Not Answer the Question

A retaliation allegation can draw immediate attention when an adverse or concerning event happens shortly after a complaint. Lamoureaux says timing can be an important piece of an investigation, but it should be treated as one piece rather than the entire answer.

Consider an employee who receives a poor performance review shortly after filing a complaint. An investigator may need to determine whether the performance concerns existed before the complaint, when they were first documented, who made the decisions involved, and whether similar standards were applied to other employees.

"If I see that something changed two weeks after a complaint, I am going to want to understand that timing," Lamoureaux said. "But I also want to know what was happening two months earlier. If the supervisor had already documented the same performance issue several times before the complaint, that context matters. If the concern appears for the first time afterward, that is also something I would want to examine."

For that reason, organizations should preserve relevant records from both before and after the original complaint. Depending on the circumstances, those records might include schedules, assignments, performance documentation, emails, meeting records, disciplinary materials, or other information relevant to the later allegation.

Managers Still Have to Manage

An ongoing complaint does not mean normal workplace management stops.

Supervisors may still need to make staffing decisions, address performance issues, change schedules, assign work, or respond to business needs. Lamoureaux recommends that organizations continue making legitimate management decisions while being thoughtful about consistency and documentation.

A manager should be able to explain why a decision was made and, where appropriate, point to the information supporting it.

The goal is not to create unnecessary paperwork around every interaction with an employee who has filed a complaint. Instead, clear records can help an organization understand what actually occurred if questions arise later.

The Original Outcome Does Not Automatically Resolve a Later Concern

Lamoureaux also cautions organizations against dismissing a retaliation concern simply because the original complaint did not result in a policy violation finding.

The later allegation involves its own facts and should be considered under the organization's applicable policies and procedures.

"If an organization finishes the first investigation and concludes that the original allegation was not substantiated, that does not mean it should automatically disregard something that allegedly happened afterward," Lamoureaux said. "The better question is whether the new information needs to be reviewed on its own facts."

That distinction is one reason Lamoureaux encourages organizations to think beyond the immediate investigation when developing complaint procedures.

An effective process should address not only how a complaint is received and investigated, but also what happens when circumstances change.

"The original complaint may have started the process, but it may not be the last issue the organization has to address," Lamoureaux said. "Paying attention to what happens next gives the organization a better opportunity to respond before a new concern becomes a much larger problem."

About Jeffrey Lamoureaux

Jeffrey Lamoureaux owns CIXE Investigations and is a nationally recognized Title IX and civil rights investigator, hearing officer, trainer, and consultant. He has conducted more than 1,000 investigations and provides investigative and professional services involving Title IX, civil rights compliance, workplace concerns, and related matters. Lamoureaux also trains investigators, hearing officers, Title IX coordinators, and other professionals who manage fair and effective institutional processes.

Media Contact

Jeffrey Lamoureaux

*****@jefflamoureaux.com

<https://www.jeffreylamoureauxcalifornia.com/>

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