Protecting Your Firm
Workplace Investigations

HR33
Warren Cook

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Challenges in Workplace Investigations

• Ensuring members of management take the complaint seriously and act
• Educating the workforce on how to report a complaint
• Minimizing complaints leaving the building

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Attendee Exercise 1
Determining Receipt of a Compliant

Key Considerations
• Communication does not have to be direct to be a complaint
• Communication does not have to be with a direct supervisor
• Management Awareness of the complaint or allegation is enough
Attendee Exercise 2
Risk and Liability of the Complaint

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Key Considerations

• What are the reasons for the behavior presented by the complainant?
• What words or terminology is used by the complainant?
Protected Characteristic Examples*

- Race
- Sex
- Disability
- Religion
- Age
- National Origin

*Note an all inclusive list – examples only
Seven Step Investigation Process

- Intake & Planning
- Interviews
- Corroboration
- Analysis
- Summary
- Action
- Closeout

Your Responsibilities as an Investigator

- Fact finder
- Perform Analysis
- Provide Recommendation
- Accurate Documentation
Strategy Guidance

10 Common Mistakes & Key Strategies to Avoid Them

The Report – At a minimum…

- Details of the complaint & individuals involved.
- Key factual findings and credibility determinations.
- Applicable employer policies or guidelines.
- Summaries of witness statements.
- Specific conclusions.
- Recommendations.
Debrief Management

- Education
- Factual Information
- Review Policies & Past Practices
- Explain Recommendation

Be Proactive

- Establish Policies
- Train the Workforce
- Communicate Expectations Frequently
- Lead by Example
Your opinion matters!

Please take a moment before leaving to evaluate this session.

Thank You!