

A decorative header image featuring a pattern of overlapping squares and rectangles in various shades of teal and light blue, creating a modern, abstract geometric design.

Workplace Investigations Training Program

Overview

Few things more effectively reduce an employer's legal risk than being able to show that it acted promptly and appropriately when it received a complaint or otherwise learned of potential misconduct. *It is imperative that employers follow clear processes with properly trained professionals in conducting investigations into a broad range of workplace matters.* Proper workplace investigations are also critical to maintaining a safe, productive, and respectful workplace which, in turn, positively impacts recruiting, retention and overall employee morale.

Fisher Phillips' Workplace Investigation Training Program includes approximately four hours of training on **guidelines and best practices for conducting internal workplace investigations**. It is intended for in-house counsel, human resources managers, employee relations leaders, and others responsible for conducting internal workplace investigations at their company. We will work with you to ensure that the training is **tailored to your company's policies, procedures and practices** with a focus on practical questions and challenges internal investigators face. This includes:

- **Pre-investigation considerations:** determining whether and when to investigate (e.g., off-duty conduct); notifying counsel and/or others with a "need to know" of the investigation; when an investigation should be privileged; whether to take interim action (e.g., place the alleged wrongdoer on leave); and steps to take if the investigation involves a third party or an employee covered by a collective bargaining agreement.
- **Planning and conducting the investigation:** who should investigate; securing and reviewing documents; video and electronic evidence; whom to interview and in what order; requiring confidentiality; what to do when a witness is uncooperative or not truthful; confirming no retaliation; and conducting witness interviews.

- **Making factual determinations and drafting an investigation report:** making credibility determinations (and what to do if there are conflicting accounts); what to include in an investigation report; communicating findings; deciding on appropriate corrective action; and documenting the investigation.
- **Post-investigation considerations:** communicating to the complainant and alleged wrongdoer; taking appropriate corrective action; preventing retaliation; tracking the investigation and storing the investigation file.

As part of the training program, we will work with you to develop company specific templates, checklists and other guidance documents – and then use them as we walk through a mock internal investigation (concluding with a sample investigation report). **If you are interested in learning more, please reach out to any member of Fisher Phillips’ Workplace Investigations Practice Group.**

Insights

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