

FIVE TIPS FOR STAFFING FIRMS TO PREPARE FOR WORKPLACE INVESTIGATIONS

Insights
May 4, 2026

Five Tips for Staffing Firms to Prepare for Workplace Investigations

Workplace investigations are uniquely high-risk in the staffing industry because the alleged conduct occurs at a client's worksite, the key witnesses and documents may be controlled by the client, and the worker may be employed by your company but supervised by the client. Add remote work, text messages, chat platforms, and client pressure, and even routine complaints can quickly become a complicated maze. What should staffing firms do before a complaint lands in their inbox? This Insight will cover your five biggest priorities.

If you want to learn more, make sure to register for our webinar on June 10: [Fisher Phillips' Workplace Investigations Training for the Staffing Industry](#).

1. React Swiftly – But Don't Rush

Speed matters in investigations. Delays can increase legal risk, undermine employee confidence, and make evidence harder to preserve. But moving fast does not mean skipping steps, so make sure you understand the direction you're going before you launch.

2. Clarify Roles With the Client Immediately

One of the mistakes staffing firms make is assuming the client will handle everything, or that the staffing company can handle everything alone. In most cases, both entities

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have interests and responsibilities. At the outset, determine who will interview witness, who controls relevant records, who communicates with the worker and who has the authority to implement corrective action

3. Preserve Digital Evidence Early

Today's investigations often turn on texts, DMs, emails, Teams messages, Slack chats, screen shots, scheduling records, phone logs, and more. In remote and hybrid environments, critical evidence may sit on multiple systems and devices. Staffing companies should act early to preserve relevant information and avoid making credibility decisions based on incomplete or selectively produced screenshots. Evidence integrity should be a priority given the prevalence of fake messaging and other tools to change the narrative.

4. Protect Against Retaliation

For assigned workers, retaliation can look different than it does in a traditional work environment. It may take the form of shortened assignments, reduced hours, exclusion from communications or a quiet removal from the client site. Staffing companies should think carefully about interim protection and ensure the worker is not retaliated against for raising concerns.

5. Document Findings and Next Steps

A solid investigation demonstrates that the company responded appropriately, considered the available evidence, and took reasonable action. A well-documented investigation of the complaint by a neutral investigator can make all the difference later if a complaint lands on your doorstep.

Staffing companies should attend [Fisher Phillips' Workplace Investigations Training for the Staffing Industry](#) on June 10 specifically designed to address how to investigate in your workplace. You'll leave armed with the tools to defend your company should there ever be a need to investigate. Register for this session [here](#).

Conclusion

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